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**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 1 June 2005**

**Mercredi 1<sup>er</sup> juin 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 June 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1<sup>er</sup> juin 2005

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ST. WILLIAMS CROWN FOREST

##### **Mr. Toby Barrett (Haldimand–Norfolk–Brant):**

Last week, I attended the opening ceremonies of the St. Williams forestry station interpretive centre, initiated by the Port Rowan/South Walsingham Heritage Association and ForestCare.

A bit of history: Lieutenant Colonel Arthur Pratt, MPP for Norfolk from 1905 to 1914, is considered the Father of Reforestation, as he was instrumental in establishing St. Williams in 1908 as the first reforestation project in Canada. Together, MPP Pratt, lumberman and sawyer Walter McCall and Dr. E.J. Zavitz of the Ontario Agricultural College planted the first trees at St. Williams.

Dr. Zavitz had a profound impact on forestry and reforestation. He was appointed the first Provincial Forester in 1912 and later Deputy Minister, Department of Lands and Forests, from 1921 to 1934. Both he and his wife are buried in the nearby Forestville cemetery. MPP Pratt is buried by Dedrick's Creek at the St. Williams forestry station. To the north and west of his grave are large red oak, white pine and maple. Inscribed on his tombstone are the words, "My memorial ... look around you."

Fast-forward to today. I'm very proud that St. Williams Crown Forest has been identified as one of 10 signature sites under Ontario's Living Legacy's Lands for Life. I look forward to working with this government in continuing to explore the possibilities in the St. Williams area.

#### INJURED WORKERS

**Ms. Jennifer F. Mossop (Stoney Creek):** I rise today in honour of Injured Workers' Day, a day on which we honour those who have been injured, who have died or who have taken ill on the job. Last year alone, 100 people were killed and 273,905 people were injured on the job in Ontario alone. That is almost half the entire population of the city of Hamilton. It is unacceptable.

My colleague the Minister of Labour, Chris Bentley, has made health and safety in the workplace a top priority. Today, the minister announced another step

being taken by the government to ensure workers are treated fairly. The Workplace Safety and Insurance Board is changing the way it factors Canada Pension Plan disability payments into its own benefit calculations for disabled workers. This step is one that injured workers and their groups have long sought. It will put more money into the pockets of thousands of workers in this province.

Is it enough? No. Other changes to support injured workers must be made, and the minister has set a firm deadline of September 30, 2005, for the board to report on reforms and a plan for implementation of those reforms. Today's announcement by the minister is welcome, and it is a move forward. We still have a way to go.

In a more symbolic vein, I want to let you know that the member for London–Fanshawe, my colleague, has reintroduced a private member's bill brought forward by the late Dominic Agostino to erect a monument here at Queen's Park in honour of those who have died on the job.

I'd like to recognize in the members' gallery some people from the Hamilton and District Injured Workers' Group, Barry Cowells and Peter Paige and, up in the public gallery, Karl Crevar. Thanks for being here.

#### COLLECTIVE BARGAINING

**Mr. John O'Toole (Durham):** I rise in the House today as the opposition energy critic to formally advise the Minister of Energy of a walkout today in Barrie by members of the Society of Energy Professionals. These 200 engineers and mid-level managers work at Hydro One's main grid control centre. They are among 1,000 members of the Society of Energy Professionals who have been without a contract since the beginning of the year. I realize this House is not the forum to negotiate labour agreements. However, this government must also make every effort to keep the lights and the economy on in Ontario.

The members will be aware that summer is one of the heaviest periods of power consumption. That's why it's important that Hydro One have available the full complement of engineers, IT specialists, supervisors and other skilled workers represented by the Society of Energy Professionals.

The Minister of Energy has said the best place to resolve differences between management and union is at the bargaining table, and we agree. However, a union spokesman said today that the strike action was necessary



because there have been no meaningful talks since April of this year. I rise in the House to ask that the Premier and this government take action to protect Ontario's power supply by helping to bring both sides back to the negotiating table.

In completion, this is from the society: "This letter fulfills our ethical obligation as licensed professional engineers to warn of the potential lockout/strike implications at Hydro One and hereby transfers all accountability and potential liability to ... the Premier of Ontario."

1340

### ONTARIO'S GREATEST WOMAN

**Ms. Marilyn Churley (Toronto-Danforth):** First of all, let me thank you, Mr. Speaker, for hosting the dinner for female MPPs last night. I really enjoyed it, and I want to announce today that it's time to vote for Ontario's greatest woman. Over 80 amazing women were nominated for Ontario's Greatest Woman, which I announced—

#### *Interjection.*

**Ms. Churley:** I'm not on—on International Women's Day. Some are names that you will recognize and others might not be, but virtually every nomination was accompanied by a heartfelt explanation of why the candidate should be named Ontario's Greatest Woman. It was so inspiring to hear such thoughtful remarks that I included some of the excerpts from the nominations, along with brief bios of them all.

The names that came up again and again in your e-mails have been compiled into a top 10 list. I'm inviting everybody now to vote for the candidate of their choice before June 30, 2005. As promised, Ontario's Greatest Woman will be announced on Canada Day in Riverdale Park. I'm thrilled by the interest that people all across Ontario have shown, including members from all parties in this Legislature.

I'm going to briefly read the top 10. They were awarded according to how many nominations they got, and it's quite a diverse mix: Maude Barlow, Marilyn Bell, June Callwood, Ursula Franklin, Barbara Frum, Adelaide Hunter Hoodless, Agnes Macphail, Hazel McCallion, Alice Munro and Laura Secord. Those are the top 10. There are many others on my Web site, [www.marilynchurley.com](http://www.marilynchurley.com). Thank you, and I urge everybody to get involved.

### CLASS SIZE

**Mr. Michael A. Brown (Algoma-Manitoulin):** Last Friday, I went back to school. I had the honour of visiting in Mrs. Whitley's class in St. Joseph Central public school at Richards Landing. I dictated the spelling. Students Keighan and Joey did an excellent job. I also had the pleasure of attending Mr. Mason's grade 5 and 6 class, where I saw their parliament in action as it decided important issues of local school significance. I am sure

that all the teachers at St. Joseph's Central public school will agree that small class sizes are crucial to ensuring that students get the individual attention they need to master the fundamentals of literacy and numeracy.

Last year, \$90 million was invested to start to lower our class sizes. As a result, 1,100 new teachers were hired, reducing class sizes in the primary grades. This year, \$126 million will be invested to hire an additional 1,275 teachers and build more classroom space to support the smaller classes.

The government is also increasing funding to school boards across the province by \$820 million this year. This means that the school boards serving Algoma-Manitoulin will receive an additional \$27 million in 2005-06 to help ensure the success of our students.

I would like to thank Principal Roman Peredun and all of the teachers and students I met at St. Joseph school. I look forward to my next visit.

### ARCHIVES OF ONTARIO

**The Speaker (Hon. Alvin Curling):** Members' statements.

**Mrs. Julia Munro (York North):** Thank you, Mr. Speaker. I would like first to echo the sentiments already given today about your generosity in hosting us last night. It's certainly appreciated.

Today we read in the paper the latest chapter in the story of our disintegrating provincial archives. The columns in the building are full of cracks, and the engineers recommend that they be reinforced with steel collars. The engineers first thought that the columns could collapse, and then reversed themselves and said that the columns were safe. I certainly hope that they are correct in their second analysis.

I have raised this question in the House before: last October, and less than two months ago, in April. I pointed out to the government both times that a report several years ago said that the current space is unsafe and unhealthy, and the preservation of documents is at risk. The collections are starting to develop mould, and the second floor is sagging. Historical documents and photos are at risk of theft or damage, and thefts have already been reported.

Our PC government had a plan to preserve the archives. The McGuinty Liberals cancelled the plan and have replaced it with nothing. It is time for this government to stop dithering and save our archives. The staff at the archives work hard to preserve our heritage and history. The government must take action to give them a safe and secure space in which to do their jobs.

### DIAGNOSTIC SERVICES

**Mr. Kim Craiton (Niagara Falls):** Yesterday a six-ton MRI magnet was installed at the Greater Niagara General Hospital, and I was there to witness the installation of this MRI magnet. I will tell you, it was an awesome sight.



This MRI investment is a reflection of the real efforts to improve access to quality and timely health services for the people of Niagara. Wait times for MRI scans in Niagara are currently more than 20 weeks. It is anticipated that the region's additional MRI will dramatically reduce the wait times by about 30%.

I want to take the opportunity to thank the Premier and the Minister of Health personally for their leadership in reducing wait times in Niagara. In the last year we have received a new ambulance dispatch service, a new CT scanner, a new dialysis machine and a new emergency wing for the Greater Niagara General Hospital. Let nobody ever say this government does not care about health.

The MRI unit is the newest technology available, featuring ultra-fast image acquisition and superb diagnostic detail. As a direct result, Dr. Tom Lee informed me that he was able to attract three new doctors to the Greater Niagara General Hospital. This is really good news.

By increasing the number of MRI scans, we are delivering to Ontarians a big part of the government's overall wait-time strategy. This strategy is providing people with faster access to better health services to reduce their pain and suffering and keep them healthier longer. This is exactly what good government is all about.

#### AFFORDABLE HOUSING

**Mr. Dave Levac (Brant):** A little over a year ago the McGuinty government, in partnership with the federal government, announced a \$2.8-million allocation to the city of Brantford and the county of Brant for the construction of rental units under the Canada-Ontario affordable housing program. Last week, I had the pleasure of attending a groundbreaking event on this important initiative in my riding of Brant.

Our government knows that shelter is a basic human need and that it is critical to a caring and growing community. Thus, it is with great pride that I'm able to say that 51 units of new affordable housing will soon be a reality for lower-income families, seniors and single persons in Brantford.

Safe and affordable shelter is especially crucial to the many households in this province that are trying to get by on lower incomes. The McGuinty government understands this. We have recently signed a new Canada-Ontario affordable housing agreement, the first in 10 years, in which the province will provide \$301 million to create more than 15,000 units of affordable housing and to provide housing allowances to some 5,000 lower-income families in Ontario.

I am proud to be a member of a government that believes affordable housing is important and to be part of an initiative that affirms the collective values of compassion and caring that Ontarians voted for 20 months ago.

I am so delighted to see that the city of Brantford shares our commitment to the development of affordable

housing in our community. I want to congratulate Mayor Mike Hancock, council, city staff and particularly Multani Custom Homes, who have worked so hard to make this development a reality for so many families. I thank this government. I appreciate it.

**The Speaker (Hon. Alvin Curling):** Before I ask the member from Essex for his statement, could I have a bit of quiet, please? Everyone is making their own members' statements, and I'd like to hear the statement from the member from Essex.

#### ONTARIO GREENHOUSE ALLIANCE

**Mr. Bruce Crozier (Essex):** I would like to welcome, in the members' west gallery, members of the Ontario Greenhouse Alliance who are visiting us at the Legislature today. Formed in 2003, the alliance brings together three greenhouse organizations—the Ontario Greenhouse Vegetable Growers, Ontario Pepper Growers and Flowers Canada—forming a strong, united voice for greenhouse growers.

This industry makes up the second-largest farmgate income sector in agriculture, with sales of over \$1.1 billion in 2004. In Ontario, there are over 1,200 greenhouse operations, most of which are concentrated in and around my riding of Essex, the riding of Chatham-Kent-Essex and the Niagara region. Together, greenhouse operations in Ontario employ more than 18,000 people, bringing substantial benefit to rural economies like Essex.

Their members continue to build on an excellent safety record by working responsibly with organizations such as the Technical Standards and Safety Authority to adapt new approaches and technologies to safety outcomes that are practical and economically sustainable.

The greenhouse industry is an export-driven industry whose competitive efficiency takes on the world marketplace and brings millions of new dollars to the Ontario economy, enhanced by the fact that it is one of the few sectors of agriculture to experience consistent growth in the past decade.

Again, I welcome the Ontario Greenhouse Alliance to Queen's Park today and remind all members to stop by the legislative dining room this afternoon to meet some of the members and pick up a sample of delicious vegetables and some beautiful plants.

1350

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON JUSTICE POLICY

**Mr. Michael A. Brown (Algoma-Manitoulin):** I beg leave to present a report from the standing committee on justice policy and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill as amended:



Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities / Projet de loi 128, Projet de loi 128, Loi modifiant diverses lois en ce qui concerne les pouvoirs d'exécution, les pénalités et l'administration des biens confisqués ou pouvant être confisqués au profit de la Couronne du chef de l'Ontario par suite d'activités de crime organisé et de culture de marijuana ainsi que d'autres activités illégales.

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed. The bill is therefore ordered for third reading.

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that today the Clerk received the report on intended appointments dated June 1, 2005, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that I have today laid upon the table the report of the Integrity Commissioner concerning his review of expense claims under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002, for the period April 1, 2004, to March 31, 2005.

#### VISITORS

**The Speaker (Hon. Alvin Curling):** While I have the attention of everyone, we have with us in the Speaker's gallery today distinguished members of the Ontario Association of Former Parliamentarians, led by their chairman, the Reverend Canon Derwyn Shea. The association is conducting its annual meeting at Queen's Park today. Please join me in welcoming these distinguished former members.

#### WEARING OF T-SHIRT

**Mr. Norman W. Sterling (Lanark-Carleton):** On a point of order, Mr. Speaker: I'd like to know whether or not we have a stranger in the House sitting in the seat of the member for St. Catharines.

**The Speaker (Hon. Alvin Curling):** Is there a stranger in the House?

**Hon. James J. Bradley (Minister of Tourism and Recreation):** On a point of order, Mr. Speaker: I am compelled to make a statement later on this afternoon about a walking campaign and will have to ask permission of the House. It's been recommended by the member opposite who just spoke that I not do this but I

ask for permission to wear this particular shirt advertising the walking campaign.

**Mr. Peter Kormos (Niagara Centre):** On the same point of order, Mr. Speaker: I think it would only be fair that the member from Nipissing, Ms. Smith, be here to express her opinion on the attire chosen by Mr. Bradley today.

**The Speaker:** I understand that the member from St. Catharines is asking for unanimous consent to wear his T-shirt. Agreed. But he also promised that he would be on his best behaviour while he wears that display.

#### INTRODUCTION OF BILLS

##### ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 2005

##### LOI DE 2005 SUR LE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DE L'ONTARIO

Mr. Gerretsen moved first reading of the following bill:

Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Gerretsen.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'll wait until ministerial statements.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### OMERS PENSION FUND

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Our Premier, when leader of the official opposition, made a commitment that he would support governance devolution of the Ontario municipal employees retirement system, often referred to as OMERS. Today I am pleased to introduce legislation that, if passed, will fulfill that commitment.

This bill, the Ontario Municipal Employees Retirement System Act, 2005, would relieve the Ontario government of its governance role in OMERS and would hand that role to the municipal employees and employers who contribute to the plan.

For too long, the Ontario government has had the final say on decisions related to the OMERS plan. And remember, the Ontario government does not pay directly



into the OMERS plan. OMERS currently remains the only pension plan in Ontario where the government plays the sponsor's role without being a direct contributor to the plan. The bill I'm introducing today, if passed, would correct that anomaly. But more than that, this bill would establish a framework in which OMERS can secure and enjoy continued fiscal sustainability in the years to come.

Our government is proposing a governance model for OMERS that builds upon the model recommended in the OMERS board report of 2002. This model was based on broad input from both employers and employees.

On top of that, there are a number of features in this model that I would like to highlight at this time.

First, this model proposes a single base plan with potential supplemental benefit plans for different groups of employees and employers. This could lead to improved pension plans for our police forces, for our firefighters and for all our other municipal sector employees, based upon local decisions.

Our model proposes a sponsors corporation, with subcommittees that could provide advice on the design of the supplemental plans.

Our model also includes an administration corporation, which would continue the current role of the OMERS board.

Our model proposes raising the accrual rate cap to 2.33 for public safety employees.

Our model features access to any supplemental plan benefits through local decision-making.

The final feature of our model that I would like to highlight is a dispute resolution mechanism proposed for the sponsors corporation that is similar to that in the Ontario teachers' pension plan, which has mandatory mediation before arbitration.

I'm also pleased to point out that our approach will ensure that OMERS continues to be the exclusive provider of pension products for the municipal sector.

Our government has listened to OMERS stakeholders, and this model is our attempt to accommodate the views of employers and employees. But more than that, we will listen further.

If the bill passes first reading today—and it has passed first reading earlier today—our government proposes that legislative committee hearings be held immediately so that we may get even more stakeholder input.

The purpose of the legislation I'm introducing today is to provide a clear process for governance transition. However, we still want to hear from stakeholders on the specifics of what they want from a new OMERS governance model. We want to hear how we can fine-tune our proposed legislation. We know that OMERS stakeholders care passionately about their pension plans, and we want to give them an opportunity to help shape the governance of this plan from the outset. We are enabling stakeholders to determine what is best for their future.

Our goal is to give municipal employers and employees the power and the tools they need to create and maintain a quality of life that is second to none.

1400

## ACTIVE 2010

**Hon. James J. Bradley (Minister of Tourism and Recreation):** A recent report by Active Healthy Kids Canada indicated that only half of Canadian children are active enough to ensure their optimal growth and development. Too many kids are spending too much time surfing the Internet, watching television or playing video games. The rest of the population is not much better off. Studies indicate that more than half of the adults in Ontario are not active enough to prevent chronic diseases like diabetes and heart disease. Obesity and physical inactivity create problems for people and unnecessary burdens on our health care system. Inactivity profoundly affects the quality of life of the people we serve.

Our government is encouraging people to become more active. We are providing opportunities to participate in sport and recreational activities. We are doing it through our Active 2010 strategy. The goal of the McGuinty government's Active 2010 strategy is to increase Ontario's sport participation and physical activity rate so that by the year 2010, at least 55% of Ontarians are physically active.

We're doing that in a number of ways: by funding not-for-profit organizations in communities across the province to promote and provide sport and physical activity services; by allocating the first funding increase in nine years to the province's amateur sports organizations to boost participation and excellence in sport; and by encouraging people to become more active through our promotion and education campaign.

Our Active 2010 promotional strategy started last November with a campaign called Pause to Play, appealing to youth 10 to 14 years old. Pause to Play's transit ads, school posters and Web site encourage kids to put their video games on pause and, instead, have fun playing and being active. But it's not just the youth of our province who need to be persuaded to get moving. We have launched a province-wide adult walking campaign to encourage people to get off their chesterfields and take a walk on our sidewalks, trails, parks and beaches.

You may have already seen our posters created by For Better or For Worse cartoon artist Lynn Johnston. They are displayed on transit shelters, disposal bins and in elevators, as well as in places like health centres, hospitals and libraries across the province. Our message is simple: Walking a total of 30 minutes a day is enough to keep you healthy.

This morning, I met with Toronto city councillor Olivia Chow, the CEO of Maple Leaf Sports and Entertainment, Richard Peddie, and hockey stars Darryl Sittler and Wendel Clark. We were at the Air Canada Centre to kick-start Toronto's Get Your Move On campaign to encourage Toronto residents to become more physically active. There, on behalf of the McGuinty government, I announced communities in action fund grants to help the city get tens of thousands of residents, many in low-income neighbourhoods, active and healthy.

This is the kind of activity we are seeing as organizations across Ontario partner with the province to promote increased participation in physical activity in their communities. We want to make a real difference in the health and well-being of Ontarians in every region of the province.

**The Speaker (Hon. Alvin Curling):** Responses?

#### OMERS PENSION FUND

**Mr. Tim Hudak (Erie—Lincoln):** I'm pleased to respond to the Minister of Municipal Affairs and Housing upon the introduction of his bill today. I welcome the presence of many police and firefighters, in addition to our colleagues the legislators, in the gallery here today.

I know police and firefighters, as the minister mentioned, have advocated for changes in OMERS governance and have spoken with members of our party as well. The minister, as well, knows there are groups who will likely oppose the direction that this bill is taking. CUPE, for example, has some strong feelings about this bill. I know that municipalities as well will have some strong feelings about the direction that this bill takes. There's no doubt, from what I understand, that a significant number of employee and employer groups have taken issue with the approach, and there are some in favour of the direction as well. So I'm pleased to see that the minister is suggesting in his statement that we take this bill to committee after first reading. I look forward to that process and hope there will be co-operation among all three parties, seeing that this is going to go for broad public consultation.

I wish they had used a similar process on first reading of a couple of other bills. For example, the greenbelt legislation would have been a much better piece of legislation that would have taken into account the needs of farmers, municipalities and other stakeholders. In fact, I'll bet you would have had the science right if you had taken it out for first reading and actually gotten input instead of the mad science you used that put junkyards and dump sites into the greenbelt. But I digress a bit. I just want to say that I'm pleased it's going to first reading so we can hear from the police and firefighters, but also from CUPE, from AMO and other municipal employer and employee groups.

Secondly, when we're talking about OMERS, we have to remember as well that OMERS will likely be counted on to invest in public infrastructure. I say to the Minister of Public Infrastructure Renewal and his colleagues that the government has sent out tremendous mixed message on public-private partnerships. On the one hand you're opposed to them, and then the next day you're in favour of them. In fact, investors are talking about what they call the Ontario premium caused by this uncertainty, meaning that if they're going to partner at all with the Dalton McGuinty government, they're going to charge a higher rate of return to compensate for the uncertainty. Witness the process on the P3 hospitals, which they were against and then were for them, MRIs and CT scans being

nationalized, or the use of taxpayer dollars to attack companies in other countries.

Those are my comments, and I do look forward to this bill going to first reading hearings.

#### ACTIVE 2010

**Mr. Ted Arnott (Waterloo—Wellington):** I'm pleased to have the opportunity to respond on behalf of our Progressive Conservative Party, the official opposition, to the statement by the Minister of Tourism and Recreation.

I first of all want to welcome the many former parliamentarians who are here today. It's good to see such a good turnout of our former colleagues.

Returning to the minister's statement, I think it goes without saying that our party is supportive of efforts to encourage the Ontario population to undertake greater exercise. In fact, today I had an opportunity to go for a walk up to Bloor Street. My BlackBerry went off at quarter to 2 to tell me that there was a minister's statement, so I had to take a cab back, unfortunately, and I didn't get the full benefit of my walk. But I think all of us would agree that it's worthwhile and beneficial to encourage people to walk a few minutes a day.

I must return to the other responsibility that the minister has as Minister of Tourism. We haven't seen him coming in here crowing about the provincial budget, and for obvious reasons: His budget, as Minister of Tourism, was cut by 11.4%, some \$21 million, in the most recent provincial budget. I know the minister would have advocated forcefully for an expansion of his budget and done what he could. He is a well-respected minister within his caucus and within his government, but unfortunately, his colleagues weren't prepared to listen to him. I'm disappointed about that. Certainly we need to do more in that area, and I would ask the government to continue to undertake efforts in that respect.

I want to leave some time for my colleague the member for Bruce—Grey—Owen Sound to respond as well.

**Mr. Bill Murdoch (Bruce—Grey—Owen Sound):** As critic for everything over there, I'd like to say that I welcome Jim Bradley's speech today. I wear my pedometer and I average about 8,000 steps a day.

Also, Mr. Gerretsen had a speech in here today. I'd like to mention in passing that I appreciate the money the ministry has put into our area, but I wonder if it's the policy of this government not to inform the local members when they are bringing money into our area, not to let us know about things like that. Mr. Wilson and I both have been left sitting on the sidelines as this government brings money into our riding and again forgets to tell the member. It must be an afterthought, I guess; they just forgot to tell us that we should have been involved. Is this the policy of this open government that we have over here, Mr. Speaker? Maybe you can help me out on that.



## OMERS PENSION FUND

**Ms. Andrea Horwath (Hamilton East):** I have to say first of all that it's really clear that we in the NDP have been agitating and trying to convince this government for quite some time that there needs to be significant pension reform in the province of Ontario. Lo and behold, it's finally here. A small bit of it, anyway, has finally arrived. I have to say there have been serious problems with the governance structure of OMERS—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** I'll give you your time. Will you stop the clock for me.

**Mr. Rosario Marchese (Trinity-Spadina):** Stop the clock.

**The Speaker:** When the ministers were making their statements, I observed quiet respect from the opposition. Now I would also like the opposite side to be quiet so I can hear this side too. I want to hear all sides.

As the member asked, the clock was stopped.

Now the member from Hamilton East with her response.

1410

**Ms. Horwath:** There have been some very serious problems with the governing structure of OMERS for quite some time. At least at first glance, this bill is an attempt to begin to tackle some of those problems. But the process, unfortunately, to get to this point of putting forward some legislation has been a seriously flawed process. Everyone in this House has to know that all the OMERS stakeholders are very concerned. CUPE, OPSEU, CAW, IBEW, OSSTF, firefighters and police, all of these groups were pushing for a thorough review of this particular governance situation.

The unfortunate thing is that this minister decided not to take an inclusive route in drafting this legislation and decided to ignore a number of those groups. There are concerns coming up, particularly in regard to the way these changes are being based on a 2002 model that in fact was rejected by most stakeholders. It's unfortunate this legislation is being based on that model. The government needs to set up an inclusive process, where all the stakeholders are invited to the table, where all of them can jointly meet together to talk about what they need to do to make the governance work for them.

On top of that, there are a number of other reforms that need to happen in Ontario when it comes to Ontario pension systems. We need all kinds of different changes. Some 60% of working Ontarians are not covered by pensions at all. We need to deal with the fact that even those who are covered by pensions in the private sector are facing situations where their pensions are being eroded by inflation, because in Ontario there is no requirement to protect pensions from inflation.

We have to deal with the fact that the system that exists to protect workers when companies go bankrupt—the pension benefits guarantee fund—is thoroughly underfunded, and even the backup amount people are allowed to access if their pension goes sour is only

\$1,000 a month, which might have been all right when it was instituted, but is nowhere near enough now.

I could go on and on, but the bottom line is that Ontarians expect their government to deal with the pension problems in Ontario, and we look forward to the opportunity to get this government to do something about it.

## ACTIVE 2010

**Mr. Rosario Marchese (Trinity-Spadina):** New Democrats endorse this campaign to get people physically active, and we are happy to see the Minister of Tourism leading by example.

I can't help but think about people who are the working poor when you make these announcements. There is a connection for me in this regard. It might sound negative, Jim, but I want to tell you this: How does it help—I would like your opinion on this when you get an opportunity—when we claw back the national child benefit? When we claw that back, how do the working poor stay healthy when they have less money in their pockets? I think about those things, and I am convinced you do too. You must have an opinion in that regard.

I think as well that, yes, when we're talking about welfare rates you did something nice last year. The Tories cut it by 22% and you increased it by 3%. This year they were frozen. I know there are a whole lot of working poor people who would love to stay healthy and eat healthy, and I'm not sure how they are going to get involved in this campaign when they're worried about what they're going to eat, let alone go walk the dog. I know you understand what I'm saying.

The other problem we have is in dealing with the whole issue of smoking. Bill 164 is before us. Most of us are supportive of that bill; some may not be. When people stop smoking, you know what they do, right? They eat and they become obese. So this campaign is particularly relevant, and I'm worried about your having lost about 11% of your budget. I know it's got nothing to do with you and I know that you lobbied in your own ministry for more money to deal with the issues of obesity, but I'm really concerned at cutting 11% off your budget. People cutting their smoking habit are going to roll up to the fridge and eat some more. Your ministry needs more money to promote these kinds of campaigns and to help out sports organizations. I'm convinced that next year you'll be lobbying for more money to deal with issues of obesity and to get people walking. I'm looking forward to that day.

## SENIORS' MONTH

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr. Speaker: I believe we have unanimous consent for each party to speak for up to five minutes in recognition of seniors' awareness month.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent as requested by the government House leader? Agreed.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** As Ontarians, we have the privilege and good fortune of living in one of the best places in the world. As a way of recognizing those who have come before us and continue to shape Ontario, I encourage all Ontarians to join Seniors' Month celebrations taking place in their communities in this month of June. I also encourage honourable members to both attend and organize activities as part of this month's celebrations.

Seniors' Month, which, as I stated before, begins today, is a much-loved tradition celebrating the province's older adults. Popular Seniors' Month events include awards ceremonies, recognition events and social and senior information fairs. A time-honoured tradition in Ontario, it is a time when we make a special effort to recognize members of our community who have helped shape and continue to shape our wonderful province.

Communities across this province were asked earlier this year to proclaim June as Seniors' Month and many have responded by officially proclaiming the month in their communities. This year's theme is Active Living: It's for Life. It reminds us that keeping active is a life-long affair. It is no secret that the health of Ontarians is a major priority for this government. The link between active living and health is clear. Active living helps promote, maintain and improve our health. Ontario seniors deserve to live safely, with dignity and as independently as possible with the supports they need.

One way to help them is to ensure that they have the information they need to access programs and services available to them and to which they are entitled. This information is available in a variety of sources, including: public education and awareness events such as seniors' seminars, which provide seniors with valuable information on healthy aging and healthy lifestyles; the toll-free seniors' info line, 1-888-910-1999, where callers can have their questions answered in dozens of different languages; a guide to programs and services for seniors in Ontario, available in hard copy in English and French, and available on-line in English, French and Chinese through the Ontario Seniors' Secretariat Web site; and a collaborative seniors' portal network, [www.seniorsinfo.ca](http://www.seniorsinfo.ca), which brings together the three orders of government to provide information to seniors, their families and caregivers.

Collaboration is an important aspect of the work being done on the seniors' file. Various projects highlight these collaborative efforts, such as: the collaborative seniors' portal that I mentioned earlier; the involvement of a stakeholder advisory committee for Seniors' Month, which brings together ministries and seniors' groups to help promote the month; our current round table on Alzheimer disease and related dementias and inter-ministerial co-operation; stakeholder and interministerial involvement in the Elder Abuse Awareness Day; last month's VE Day celebrations organized by the three orders of government, including our own, and with the participation of veterans' organizations and the Canadian military; provincial, federal and territorial meetings of

ministers responsible for seniors, such as the one I attended last week in Quebec City; and the round table on seniors with the city of Toronto and the federal government.

Earlier I mentioned seniors' seminars. Seniors' Month provides an excellent opportunity to host a seniors' seminar. They are available on a number of different topics, such as safe medication use; how to protect your money from schemes, scams and flimflams; advanced care planning; and safe driving.

**1420**

To inquire about making arrangements for a Seniors' Month seminar in their communities, the members may contact my office or the Ontario Seniors' Secretariat for further information. These seminars provide seniors with valuable information on healthy aging and healthy lifestyles, and they are made possible through partnerships.

Speaker, wishing you and particularly those former members who are joining us here today who may be older Ontarians all the best this month, Seniors' Month in Ontario. Let's celebrate seniors. They deserve it. We owe our high standard of living to them.

**Mr. Cameron Jackson (Burlington):** I'm pleased, as I am every year, to stand and respond to the importance of Seniors' Month.

At the outset, let me just say it's unfortunate that the minister has already made a statement in the House today about OMERS, and not once did he mention OMERS retirees. He's about to restructure OMERS. Did he put OMERS representatives, retirees, at the table? That is not in his announcement today, and it's something that—

*Interjection.*

**Mr. Jackson:** Well, the minister is yelling at me. He had an opportunity to demonstrate his support for seniors. It's something that our government did when it put retired teachers at the table to deal with their pension plan, and we believe that is a principle that all governments should embrace.

But the importance of today's announcement of course is the growing number of seniors in our province who continue to live longer. By the year 2016, there will be more seniors living in this province than persons under the age of 14, and by the year 2026, there will be over three million seniors living in our province. So we have some serious challenges.

Good government is government that responds to the future needs of its province, and I'm proud to have been part of a government that established an entire menu of services and programs which the minister very kindly enumerated for us.

The Alzheimer's strategy, which our party developed: We're still waiting for the government to do a multi-year financial commitment to continue that outstanding—world-leading, I might add—work.

Elizabeth Podnieks and her work on the abuse strategy: Again, we are looking for the multi-year funding commitment that they received from the previous government.

The Memory Project: I can say publicly that the minister has supported and continues to support it and



they are expanding that wonderful program that was begun a few years ago, and I thank him for that.

There are, however, some concerns on the medical front on which seniors are speaking to their government, and this needs to be covered. The chiropractic support that was removed is an issue of concern for seniors on fixed income, as are physio support and accessibility to that outside of a hospital setting and the fact that today in Ontario there are still long-term-care facilities that don't allow podiatrists in to provide those important services to seniors.

We have a recent study coming out on waiting times in our province that indicates that a disproportionate number of older women are put on longer waiting lists for hip and knee surgery in this province than are men, and there seems to be no strategy to assist seniors in that.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** That's ridiculous. That's absurd.

**Mr. Jackson:** I will give the minister the actual copy of the report from Sunnybrook hospital.

The minister may also be interested in knowing that his waiting time strategy will have some adverse effects for seniors. Yes, on the one hand there will be greater access to hip and knee surgery, or in this instance cataract surgery, but I got a call last night from one of my senior citizens whose two-year wait for a cornea transplant, which will affect her potential blindness, something her cataract surgery won't—her cornea transplant has now been put on a three-year waiting list because of the government. The government didn't set out to increase waiting times and cause this to happen. I'm not suggesting that. I'm suggesting that when you don't consult with the OMA and don't consult with seniors' groups in this province, these are the kinds of things that happen to the delivery of health care for seniors in our province.

On the issue of the drug plan, the budget and the minister have stated publicly that they have to engage in a cost-containment strategy for the Ontario drug benefit plan, \$3.3 billion annually. They have budgeted less than 10% this year, and yet the growth is between 14% and 15%. So the minister has a challenge, but hopefully that does not result in reduced access to medications, something which Lillian Morgenthau and Bill Gleberzon and members of the Canadian Association of Retired Persons, 50-Plus, have been lobbying the government not to do on behalf of seniors. The Ontario Pharmacists' Association has done that.

As you can see, there are many, many issues that are of concern to seniors. As the minister has suggested, I am also very pleased today to announce my 19th annual seniors' seminar in Burlington. We get no fewer than 450 to 500 every single year to our seniors' seminar. Our MC again this year is Gordie Tapp, the Canadian and Ontario Award recipient. He will be turning 84 years young on Saturday as the MC of our seniors' seminar. I encourage all members to engage in similar programs in their communities.

**Ms. Shelley Martel (Nickel Belt):** I'm pleased on behalf of New Democrats to recognize seniors' aware-

ness month in Ontario. New Democrats salute seniors whose past working life and volunteer life have made and continue to make an enormous contribution to the social, economic and cultural fabric of Ontario. I think about veterans whose enormous courage during World War II gave us the freedom that we enjoy today. I think about the miners, the steel and mill workers, forestry and construction workers and engineers who were involved in the development of our transportation systems and public institutions; the health care professionals, educators, public servants and emergency service personnel who started our colleges and universities, developed our health care and public services and put in place the protection and emergency services to respond to safety and crisis issues. I think about the painters, the writers, the musicians, authors and filmmakers who've expressed what Ontario is to the world.

We are in debt to Ontario's seniors for their past accomplishments and for their current contributions in so many organizations across so many fields in Ontario today, so the province is much richer as a result of their efforts.

Seniors, through their organizations, also advocate around issues which are important to them. I would be remiss today if I didn't talk about a brief that Ontario seniors, through their organization United Senior Citizens of Ontario, gave to this government. I just want to focus on their health concerns in particular:

“(1) Delisting of services: Delisting of services vital to seniors such as physiotherapy, audiology, chiropractic treatments and ... the frequency of eye exams is detrimental to seniors' health. At a time when health care dollars are scarce, USCO feels this is a short-sighted policy and not a cost-effective way of managing health care. The USCO implores the Ontario government to re-examine these issues.

“(2) Over- and undermedicating: Over- and undermedicating continues to be a problem for many seniors. The USCO recommends that the Ontario government create a task force to review current and previous research to devise a strategy to combat the inappropriate and unsafe use of medication.

“(3) Prostate-specific antigen (PSA) tests: The Ontario government pays for mammograms to prevent breast abnormalities, as a preventive measure. Costs for PSA should be covered for the same reason. At the present time, only PSA tests done at a hospital are covered by OHIP,” and the wait lists are long. “The USCO again reminds the government that this is an injustice that needs correcting....

“(5) The ... Ontario health tax: The ... Ontario health tax is contrary to the health care benefits this province's seniors have received for many years. It is unfairly imposed and mathematically incorrect. A lower-income earner pays a higher percentage of their income than a high-income earner does. The government must re-examine this tax. It is wrong, and the USCO strongly urges the government to withdraw this undesirable tax....

“(7) Macular degeneration: Macular degeneration is the leading cause of blindness in older adults. The USCO

again strongly urges the Minister of Health to finance the more aggressive and effective treatment available for 'wet' macular degeneration: \$7,000 to \$10,000 per eye is a high price to pay and is beyond the means of most seniors to retain their vision....

"(10) Disabilities and in-home care: Some degree of independent living is preferable to residing in nursing homes wherever possible. The USCO encourages the government to look closely at improved long-term, in-home care to accommodate individuals who need some degree of assistance but not the full care of a nursing home."

In that regard, this government should have long ago scrapped the current regulation in home care that ties homemaking services to personal care needs. It is grossly unfair that a senior or disabled individual can only qualify for help with laundry and for housekeeping and for homemaking if they also have to require help with a bath. Many seniors don't need and don't want help with a bath, but they certainly could use homemaking services to remain independent. This government should bring in a regulation to change that.

1430

Where is this government's long-term-care legislation? The minister last November promised legislation early in the spring. We haven't seen any legislation; we haven't heard about any legislation. We certainly haven't seen a timetable for introduction of a bill or for public hearings or for clause-by-clause—nothing.

Where is this government's promise to reinstate minimum standards of care in long-term-care homes in this province? Before the last election, this government promised it would reinstate the 2.25 hours of hands-on care per resident per day in long-term-care homes. Then, last October in the estimates committee, the minister said that his government had no intention of doing that. I can tell him that those unions who work in long-term-care homes think that we need 3.5 hours of hands-on care per resident per day. Where is the government on this important issue?

As we celebrate Seniors' Month, I remind the government that there are many issues before it that affect seniors. They should get down to the business of dealing with those important issues.

*Interjections.*

**The Speaker:** Order. There are many small discussions going on, and I'm having extreme difficulty hearing members. So if we could reduce these discussions. If it is necessary for you to have them, you may have them outside.

## ORAL QUESTIONS

### ADOPTION DISCLOSURE

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Community and Social Services. I want to return to the issue of fundamental

privacy concerns that exist with respect to your adoption legislation now before this House.

It is clear that this legislation is still evolving. You are still amending your bill, I guess as recently as yesterday's hearings. To me, together with the concerns of the privacy commissioner, this underlines the need to make sure that we get this right, which you're trying to do, and so am I. Will you consent to working together with all parties to ensure that your bill strikes the right balance between making it easier for adoptees and birth parents to get information while at the same time ensuring that privacy rights are respected where desired?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** The Leader of the Opposition probably will know that three weeks ago I approached the members from your side of the House and asked if in fact your members had any amendments to post for the bill. We did the same thing with the NDP. This was well before they were due to go to committee. The member should also know that if we had received amendments in advance, it would have given us an opportunity to have our legal department look at them. We wanted to take the time so that we could do it properly and take them seriously. I think the member's seatmate will recall our conversation around amendments. We have been very happy to work with all members of the House.

The history on this issue is that in the last 10 years that I've been here, and five years before that, the majority of members from this House, at about 90% of all parties, had supported the bill, which included retroactivity and a no-disclosure veto. We are prepared to work with all members of this House, and we have indicated that in the past.

**Mr. Tory:** I'm sure there's improvement that could happen on all sides here, because I would point out that on Monday, I think we got 40 pages of amendments we'd never seen before, and it was in fact after the very same deadline that was imposed upon us. But that's not really the point here.

Today, a Globe and Mail editorial on this subject echoes the concerns raised by our caucus in the House and by the privacy commissioner, trying to get that balance right. The editorial says, "As the Ontario government moves to strip the time-honoured privacy of women who gave their children up for adoption ... If those birth mothers beg, and plead, and manage to convince a panel that they would be in real danger, they might, just might, be able to retain the privacy that they and others have relied upon for many decades."

Dealing with the most common example of a woman who gave up a child and was assured of confidentiality decades ago, do you think they should be forced to come to a tribunal and beg for the privacy they were guaranteed, particularly when you have already stated in advance, in your comments to the press, that birth mothers seeking to preserve past secrecy aren't the people who should be granted a veto by your proposed tribunal? Do you think that's right?



**Hon. Ms. Papatello:** I need to read to you just an excerpt from a letter that I received: "In the 15 years that I have been involved in reuniting others I have reunited mothers who were raped. All of the mothers that I have found in the last 15 years who were raped had a reunion with the exception of one....They neither chose rape or adoption in the first place. They did not blame their baby for something that was not their fault. They were loving women who were able to embrace their now adult child in a reunion."

I would remind the leader that, in this instance, it was not with the help of the government. They were found by their own means with no protections such as a contact veto.

"Further to this I have worked in incest cases where the two parties reunited. No, it was not easy and it required support...."

"I take great exception to anyone promoting shame, fear and secrecy when it comes to rape. Research shows as far as domestic violence, rape and incest that in fact secrecy and shame contribute to the trauma."

I read this for one express purpose. There are all sides on every piece of the issues that are being delivered today. Whatever the circumstances, there is more than one opinion on this. That's why it has become difficult and we are taking the time we have taken.

**Mr. Tory:** I appreciate the fact that we're all taking the time. I guess it comes down to, as you said, making some choices.

I gave some examples yesterday to the Premier and the minister which I believe merit some consideration. For all the good this bill can achieve, there are still some serious outstanding privacy concerns. Yesterday you mentioned that many of the details, including all the aspects of how your tribunal would work, will be left for people to figure out in secret after your bill is passed. It will be done without the involvement of this House and out of the view of the public.

I would ask you now, Minister, will you take the time to get it right, and work with all of us on all the details as to how this tribunal will work in order to ensure that the right balance is struck between those who wish information about their identity and those who wish to ensure their privacy is respected and maintained? Will you do that?

**Hon. Ms. Papatello:** Let me give you another example. I'll quote from a letter I received.

"My birth mother was very receptive when first contacted even though the circumstances surrounding my birth were and remain very painful for her. She was sexually assaulted and has still not dealt with the trauma after all this time. Was that the story I wanted to hear? Of course not. We are always warned"—or were warned—"by ... family and friends: What if there is rape, incest or your birth father is an axe murderer? We expect the worst."

"But I have dealt with the truth. It is as much a part of me as the colour of my hair.... That is what adoptees seek. The truth about themselves...."

The reality is that we are prepared, with the amendments we have tabled, to strike a fair balance with this new law. We believe we have to make it as easy as possible for everyone. We don't intend to bring harm to anyone, and we are striking a balance so that we will not. We are also following other jurisdictions where we have a record of experience where the no contact has never been breached.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Tory:** My question again is to the minister. The fact is we're not doing anything consistent with what others have done in this country.

I have a copy of a letter that was sent to you two weeks ago from a birth mother. She was too frightened to reveal her name, but I want to read from the letter:

"We gave up children for adoption decades ago with the promise that the files containing our identifying information would remain sealed. I was promised this in a courtroom before a judge, represented by a lawyer, a frightened teenager who was still living the nightmare of an unwanted pregnancy."

She continues, "... we never would have dreamed that the government that we trusted to keep our past confidential would be the one so cavalierly opening up these records."

I understand—I think we all do—what you are trying to do for the rights of those who want to know about their identity. Are you willing to extend the same consideration to the people who want their privacy maintained, who were told their privacy would be maintained and who don't want to have to beg in order for their privacy to be respected and maintained? Are you prepared to do that?

**Hon. Ms. Papatello:** I think this member opposite will know that the bill that was tabled originally in this House included the opportunity for adult adoptees to go forward to this board. The details of how the board would work we would lay out in regulation and we would do that very carefully with experts in this field and, in particular, the same experts who helped us craft this bill, like the child advocate, like the Attorney General and their department that dealt with these issues.

Secondly, once it went to hearings, we were very clear: We are prepared to listen to all sides to ensure we have that safety valve, that caution for anything and all that might happen. We have listened to that. We have now added to the opportunity at that board, for birth parents to attend, because we have heard there might be very extreme circumstances or harm, and we don't want that. So we have added that amendment.

**1440**

We said in the beginning that a large chunk of the work will be after the bill becomes law, and it really is important how we strike the work of that board, who belongs to that board, how people go to the board, how we can make it easy for people so they don't incur additional trauma. We're prepared to do that work.

I would request of the Leader of the Opposition that if he has suggestions in that manner that he start to table

them with us because we are very prepared to take that information from him.

**Mr. Tory:** The minister outlines part of the problem here. She's just finished telling me, "We will do all that work. Just don't worry about a thing. It'll all be out of sight of the public, it'll all be out of the Legislature and we'll have the experts in," whoever the experts are, when in fact we're sent here to help make those decisions and to be involved in those kinds of discussions.

Another letter that I received, just sent in three days ago, states the case of two boys who were adopted from children's aid, both with special needs. The younger of the two came from an extremely abusive situation, suffered from malnourishment, physical injuries and emotional scars. Your legislation, as it is currently written, would require one of these two boys, on the occasion of his 19th birthday, to appear before your tribunal to beg that his privacy be respected so as to prevent his abusive birth parents from finding out personal information about him. Do you honestly believe this is an appropriate way to deal with this kind of circumstance?

**Hon. Ms. Pupatello:** Let me say that in the several months that we have worked internally to craft the bill, from the very beginning, we have looked at every single possible scenario, in particular from the eyes of the adult adoptee. This is why we created the bill that we tabled in the House.

I will also tell you that for every letter or e-mail we got in this kind of circumstance, we had 10 times the number from individuals who had a past that would be extremely difficult who demand information themselves, who insist on the passage of this bill, who do not want to see any additional amendments and who want openness. They themselves have said, "We demand information that for many years we have been denied." They call themselves second-class citizens.

We understand that, yes, it's difficult. Our intent here, and I hope that's what we have achieved, especially with the addition of the amendments, is to have a very balanced approach to take care of the extreme situations and to do it well.

**Mr. Tory:** I will admit to having received more e-mails from people who want the situation opened up than those that who have a contrary view, but the job we have to do here as legislators is to make sure everybody's rights, including those in particular of the minority, are respected.

The privacy commissioner, an officer of this Legislature, read letters, deeply personal letters, that she had received from people. Your amendments that were tabled do not address their concerns. A woman who was the victim of sexual assault and had a child as a result will still have to beg to have her privacy maintained; for adoptees who came out of an abusive situation, it's the same thing; and the more common instance of a woman who had a child out of marriage and had to give it up will still have to beg to maintain her privacy.

You can't tell us any details of how this will work because you've admitted—you've been honest—you

don't have those details; you're going to work them out in secret. For the sake of these people who will not or cannot speak up, I am asking you to work with us to address what I admit is a minority of the cases, but a minority whose rights deserve to be protected and respected. Will you do that?

**Hon. Ms. Pupatello:** I hope that the Leader of the Opposition will also acknowledge—and I appreciate that even in his own caucus, like probably many people out there, half of your members voted for the bill and half of them didn't. I understand that the half who opposed it do have issues. We believe we're addressing those. I also can tell you, from my years in this Legislature, that when we create the law, there are many of those details that always appear in regulation, and that's where the lion's share of the work goes. I appreciate, too, that the individuals we have worked with—these experts in the field, the Ontario Children's Aid Society, the child advocate's office, the Attorney General, which works in these areas—worked diligently on this bill and understand the nature of what comes next in regulation.

Let's be clear: We have said from the outset that this is about the right to information, not the right to a relationship. We insist that finally, after many years, adult adoptees finally have access to information. It is about time that someone respected their rights, because for many years they were not being respected.

#### SERVICES FOR DISABLED CHILDREN

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Children and Youth Services.

"Unjust, oppressive and wrong": That is how the Ombudsman describes the McGuinty government's treatment of families with disabled children. He says that these families are in crisis. Why? Because, as he says on the cover of his report, parents are forced to place their children with severe disabilities in the custody of children's aid societies to obtain necessary care.

On Monday, you stood in the Legislature and you gave those parents a solemn guarantee. You promised to help; you promised to make things right. Then two hours later, those parents discovered that the McGuinty government had filed court documents with the intention of continuing to oppose and fight those parents and their children.

Minister, why are you telling these parents and their disabled children one thing in public while behind closed doors you continue to do everything you can to fight them and oppose them in court?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** We are ready to reunite these families. As I said two days ago, the children's aid societies are ready to make the calls and reunite these families. It is the families' lawyers who have some concerns about our government contacting the families directly. I hope this is



resolved very, very quickly, because we do have a plan to reunite the families and restore parental rights.

**Mr. Hampton:** Minister, you might like to know that the families' lawyer, Mr. Doug Elliott, is here today and he is quite willing to meet with you or the Attorney General or anyone else who wants to say one thing in public and then do something else behind closed doors in court.

But I want to send you a letter. This is a letter that was sent to you just a couple of weeks ago by one of the parents, and it starts out,

"Dear Minister: ...

"When your [party] was in opposition, you supported our claims. We were pleased to see you form the government because of that support. No doubt many of our families voted for your party...." The letter goes on to ask you—no, it pleads with you—for a meeting so that you can stop the court battle and you can settle.

Minister, you didn't even respond to this letter. You didn't respond; the Premier didn't respond; the Attorney General didn't respond. How can you say that the parents and their advocates are holding this up, are stopping this, when they are pleading with you to settle the issues?

**Hon. Mrs. Bountrogianni:** The Attorney General.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** Yes, we are ready to go and ready to implement the direction that the minister indicated earlier this week. But I have to say to the member that I'm surprised. It is a truly unique former Attorney General who brings counsel into a legislative chamber and tries to turn a matter that is before the courts into a matter that is before the Legislature.

I say to him, which is it to be, Mr. Hampton? Are we in this House going to determine how governments are to govern, or are we going to have that debate take place in a courtroom? We say—and your government said when you were in power, and the previous government before that and the one before that have always said—that it is a democratically elected Legislature that ought to determine how governments govern and how governments treat issues like how we serve parents of disabled children. We will certainly continue to stand for that principle.

**Mr. Hampton:** It was this government that filed the court documents. It was this government that said, "We don't want to settle."

I want to read from this letter. This is from the mother of a disabled child.

"I ask of you, Minister, to meet with me face to face to review the issue and resolve the problem without further litigation. Clearly, if the political will exists, the cruelty of forcing families to surrender custody to access services will end. We the Ontario families are now and always have been available to you to assist in identifying solutions to the problems....

"On behalf of all families involved, I am requesting a meeting with you, our minister, to review the existing

issues and to discuss possible resolutions that will assist the families."

This doesn't sound to me like families who want to fight in court. This doesn't sound to me like families who are holding up a resolution. It was this government, after telling these parents you were going to help them, that ran down to the courthouse at 4 o'clock and filed documents saying, "We'll see you in court." So don't try to tell these parents one thing in public—

**The Speaker:** Thank you.

1450

**Hon. Mr. Bryant:** The families, represented by counsel, brought an action against the government of Ontario. The Superior Court of Justice ruled that in fact it was plain and obvious that the claim for damages and negligence could not succeed and confirmed that the court would not interfere with ministerial decisions with respect to how the government would govern. Then the plaintiffs, represented by counsel, appealed that decision. They appealed that decision to the Divisional Court. The Divisional Court made a ruling. The ruling is one that we are appealing in this court.

What are we doing as a government in terms of how we are assisting disabled children? The minister has stated exactly what we are doing. We are working toward reuniting their families. I will say to you that I will hold up this government's record with respect to the treatment of children against that government's record any day.

**The Speaker:** New question.

**Mr. Hampton:** To the minister of Children and Youth Services: Minister, I want to send you two reports in the Globe and Mail. One is a report from the front page that says the Ontario government is to settle a lawsuit with corporations for \$63 million. The other is a press report that says, "Quick Return of Disabled Children in Jeopardy." What it seems like is this: When it comes to settling with these poor corporations, like IBM Canada, Fujitsu Consulting (Canada), Teranet Enterprises and EDS Canada, and paying them \$63 million, the McGuinty government can't move fast enough, but when it comes to disabled parents and their kids, you have been fighting them all the way for two years. That is why they went to the child advocate, that's why they went to the Ombudsman, and that's why they went to court, because you have been fighting them and delaying them and blaming them all along. Minister, will the McGuinty government stop blaming these parents and their advocates, and will you finally do the right thing?

**Hon. Mrs. Bountrogianni:** I have taken the advice of the child advocate and other experts in the field and, yes, of the Ombudsman, and we're ready to go. We have a plan. We are ready to restore parental rights immediately. Children's aid societies are right by the phones waiting for the go. And we will be responding to the direction of the Ombudsman's report in the next two weeks over the rest of his recommendations. We're ready to go, and just like the AG said, I'll put my record against that government's record any time when it comes to children.

**Mr. Hampton:** The reality is that the parents' lawyers are there to protect their rights. They're there to make sure that the McGuinty government doesn't pull a fast one. Let me give you an example of a fast one. This is what I guess one expert had to say about this terrible situation: "You are breaking your own law, Premier. You are failing these kids. Will you agree today to at least restore funding for special-needs agreements, or will your government continue to put corporate tax cuts ahead of the interests of our special-needs children?" Do you know who that was? Do you know who said that? Michael Gravelle, chair of the McGuinty government caucus, said that. That's what he said.

Now, when these parents sent you a letter asking for a meeting, you wouldn't even meet with them.

**The Speaker:** Question?

**Mr. Hampton:** When they pleaded with you to meet with them, you wouldn't even respond.

*Interjection.*

**The Speaker:** Order. Member on the government side, could you come to order, please? I'm trying to hear the leader of the third party complete his question—in 10 seconds.

**Mr. Hampton:** You see, Minister, what these parents are puzzled by now is that before the election, you were all on their side. You've had two years to do something about it, but it seems the only place you're willing to meet them now is in a courtroom. Tell me, Minister. You say you're ready to go. When are you going to settle?

**Hon. Mrs. Bountrogianni:** We're ready to go. We were ready to go to have parental rights restored by Friday. We're ready to go, within a few weeks, to address the remaining of the Ombudsman's recommendations, as well as the advice from the child advocate and other experts.

I would like to remind the honourable member that he voted against taking those tax cuts away. He voted for the corporations. So it is a little bit—I can't say the word; it's non-parliamentary—but it's a little bit rich that he would say that to us now.

As well, under those two former governments, children's services were cut. We put in \$100 million in a year and a half for special-needs children, the biggest increase for special-needs children in the history of this province, more than 15%. We're proud of our record.

**Mr. Hampton:** I want to tell the government that the budget I voted against is a budget that's going to give the banks a \$1-billion capital tax grab—

*Interjections.*

**The Speaker:** Order. Can we get to the question now?

**Mr. Hampton:** The budget I voted against is a McGuinty budget that's going to give the banks a \$1-billion capital tax cut over the next 10 years.

Minister, I want to read from this mother's letter again. She said, "We have been carrying on a lengthy and expensive court battle that has placed additional strain on the families and government resources. We are hoping that you will work with us to come up with a humane solution. If you will not, we will continue our struggle.

We believe that a direct meeting is necessary in order to avoid many more years of this battle."

Minister, can you tell me, can you tell the people, did you meet with these people? Did you even respond to their letter?

**Hon. Mrs. Bountrogianni:** My response is action: By Friday, we were ready to have restored their parental rights; over \$100 million in new monies for special-needs students. Those actions speak louder than any words that the member opposite could take out of his mouth.

## ADOPTION DISCLOSURE

**Mr. Cameron Jackson (Burlington):** My question is to the Minister of Community and Social Services, who's also responsible for women's issues. My question is this: The privacy commissioner spoke with the minister's office regarding her Bill 183 many months ago. The minister has stood in this House on several occasions and said that she has taken the advice of this commissioner. Yet on Monday, hours after the minister tabled her amendments, on the very day we were dealing with clause-by-clause movement of this bill, the commissioner, Ann Cavoukian, indicated that the privacy rights were not protected with this amendment, as the minister has said.

Minister, there is a specific group of child victims who are adoptees in this province. They are predominantly women. They were in many cases raped; they were sexually assaulted, physically abused, and in some cases were the victims of incest. Do you not believe that this unique group of adoptees, child victims, deserves to have an unfettered right to a disclosure veto for their own personal protection?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me say this: We have for many months as a government and for many years as a House, on bills that have come before this House regarding adoption, consulted with the privacy commissioner. As a government, in our consultation with the privacy commissioner, she has acknowledged that while her office does not have purview over adoption—it is not part of her work—we have wanted her advice regardless.

Moreover, she has stated repeatedly in letters to others in this House, and certainly to us, that this ultimately becomes a social policy decision of the government. She's made that clear to us. We have asked her advice because we need to understand what it is that we do.

We also understand that her position has been one of no retroactivity and a disclosure veto. We have said again that were we to accept that, we simply wouldn't have a bill before the House, because we do believe in the rights of children. We do believe, just as the United Nations found in their Convention on the Rights of the Child, in which they said that the supreme right must be a child's right to information—that in fact led to the development of our bill. We respect the myriad—

**The Speaker (Hon. Alvin Curling):** Thank you. Final supplementary.



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**Mr. Jackson:** The United Nations does not support any notion that allows child victims of sexual assault and incest to be re-victimized by a panel of adults sitting in decision on whether or not they suffered emotional harm in this province. That is why we have a Victims' Bill of Rights in this province that says you do not have to go before a tribunal and prove that you suffered emotionally as a consequence of a tribunal decision. Minister, your veto in its current form is wrong for these individuals, for one simple reason: Many of them don't even know they were sexually assaulted or that they were the victims of incest as small children and infants.

Will you, Minister, today agree, as I raised in committee yesterday, that upon reaching the age of majority, an adoptee has the right to have access to their CAS files so they will then know if they wish to exercise their veto for disclosure, for their own personal protection. I remind you, these are mostly women who were victims of abuse as infants and children. I ask you, how will they know how to make an appeal if they don't even know the circumstances of their abuse? Will you release the files and will you allow that to occur in legislation?

**Hon. Ms. Papatello:** Let me say what none of us in this House can do. None of us can pretend to speak with one voice on any of the circumstances such as this member is describing today, because for every example we have also heard hundreds of others, children with their own histories, some of them terrible histories admittedly, who are demanding that this bill pass and are demanding that it be passed quickly. They have been waiting for years for this.

I have to say that the goal of the government, and what I think we have struck in terms of balance with this bill, is that for those exceptional circumstances, we will develop the easiest way for them to gain what they need by this board. But ultimately, we have said from the beginning that people have a right to information, not a right to a relationship.

**The Speaker (Hon. Alvin Curling):** Thank you.

**Hon. Ms. Papatello:** We have introduced a no-contact proviso in this that has worked in every jurisdiction in which it exists. We are standing on that experience. We understand that there may be issues, and we are doing our due diligence—

**The Speaker:** Thank you.

## INJURED WORKERS

**Mr. Peter Kormos (Niagara Centre):** My question is to the Minister of Labour. Minister, you know that today is Injured Workers' Day. You also know that over the last decade, corporate bosses have done quite well: billions in rebates from experience rating and reduced WSIB premiums. In fact, WSIB officials have done quite well. The number of WSIB officials receiving over a hundred grand a year has increased significantly in that decade. In view of that, is the government willing to commit today, on Injured Workers' Day, to legislative

changes to address the serious and critical matter of poverty among injured workers?

**Hon. Christopher Bentley (Minister of Labour):** I'd like to acknowledge on this day the presence of many of the injured workers I spoke to outside, and I have spoken to injured workers on a number of occasions throughout the province.

The member is right that over the last 10 years, two previous governments, the one of which he was a part and the Tories who followed, took inflation protection away from injured workers. For more than 10 years, money was taken out of the pockets of injured workers. They left this government and the board with a terrible mess to clean up.

Restoring fairness, dignity and respect to injured workers is what we intend to do. The board has been working very hard over the last 18 months on restoring fiscal health. Today, they take some steps toward that greater fairness, because the board announced a change in the way it assesses benefits.

**The Speaker (Hon. Alvin Curling):** Thank you.

**Hon. Mr. Bentley:** It is ensuring that more money for workers who receive CPP benefits, as well as WSIB benefits, will end up in workers' pockets, because they are not deducting all of the CPP benefits from the calculation. That's more money for injured workers—

**The Speaker:** Thank you.

**Mr. Kormos:** The wringing of hands and the "Oh, I feel your pain" speech does nothing to alleviate the poverty amongst injured workers. Injured workers across Ontario have been signing petitions. If a couple of pages will come here, I'll send you some of them. They're addressed to the minister, saying that since 1996 the cumulative increase in the cost of living is 22.7%. To the Minister of Labour, please, pages. During that time, the cumulative increase in benefits to injured workers has been only 2.5%. That means that these injured workers have seen their benefits slashed by 20% in the last decade.

Before the last election, your party, the Liberals, promised to introduce a fair inflation factor to protect workers' benefits from inflation—legislated inflation protection. Today is Injured Workers' Day, a chance to keep your promise. When are you going to produce that legislation providing full cost-of-living protection for injured workers?

**Hon. Mr. Bentley:** These are interesting. It says "since 1996." Where was the "I feel your pain" speech from the member when his party reduced inflation protection and took money out of the pockets of injured workers in 1994? Why has he only started in 1996, when he knows that he and his government were responsible for reducing inflation protection?

We told injured workers during the campaign we'd help restore the damage. The first step is restoring the financial health of the board, because all workers in the province depend on that board. We're doing that.

Today's CPP announcement was a good first step, but it's not all. We've heard the workers. We have given the board until September 30 so we can improve return-to-

work and labour market re-entry policies which they've spoken about. The decision-making process, the understandability of the process and restoring—

**The Speaker:** Thank you. New question.

#### FIREARMS SAFETY AND CONTROL

**Mrs. Linda Jeffrey (Brampton Centre):** My question is for the Minister of Community Safety and Correctional Services. This past weekend, Brampton suffered an appalling tragedy. A 21-year-old and a 17-year-old youth were shot while biking home from a basketball tournament. The 21-year-old-youth is currently recovering in the William Osler Health Centre and 17-year-old Dwayne Lloyd was fatally wounded.

Minister, the citizens of my riding are concerned about the safety of their community and the safety of their children. What is our government doing to prevent these gun crimes and protect our communities?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member from Brampton Centre for her question. The level of gun violence in Ontario over the last two years is worrying and unacceptable. I'm pleased to say that the work of the special anti-gun and gang unit, which was announced last year by my colleague the Attorney General, is underway. This year, it is made up of senior police with expert knowledge.

Since this government was elected, 50 new crowns have been added and we have committed crown resources to the anti-gun and gang unit. There are currently 12 prosecutors in the Toronto region with specialized training in prosecution of firearm offences. We are taking a leadership role and we are working closely with the police and levels of government to reduce gun-related crime and prosecute those responsible for the proliferation of firearms.

**Mrs. Jeffrey:** Minister, unfortunately this is not the first tragedy involving firearms that has affected my community. Last month, Livvete Miller, a widow, a mother of four and a constituent of Brampton Centre, was killed when men armed with guns opened fire on a crowd of over 200 partygoers in a Toronto nightclub. Is our government giving law enforcement officials the tools they need to fight crime?

**Hon. Mr. Kwinter:** The government continues to support the OPP's provincial weapons enforcement unit, which in 2004 was responsible for taking over 1,800 guns off the streets and out of the hands of criminals. This government will continue to work with our municipal and police partners and support local strategies that help prevent and fight crime.

We also announced, when we made our announcement about the 1,000 new police officers, that some of those will be dedicated to dealing with guns and gangs. We also just yesterday passed a bill in this House that makes it mandatory to report gunshot wounds. This is something that the Ontario Association of Chiefs of Police, the Ontario Police Association, the Ontario Medical Asso-

ciation and the Ontario Association of Police Services Boards have asked for because they need that as an added tool to help them deal with those people who are related to gunshots.

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#### SERVICES FOR DISABLED CHILDREN

**Mr. John R. Baird (Nepean-Carleton):** My question is for the Minister of Children and Youth Services. We learned from the Ombudsman's report that troubled parents were required to relinquish custody of their severely disabled young children in order to get the care they need. I have a simple question: When did your senior officials learn about this practice, Minister?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I actually knew in opposition that this was occurring. What I didn't know was the extent to which it was occurring. The child advocate first brought that to my attention, and we've been working on this issue since then. The Ombudsman, of course, brought much more evidence to light.

**Mr. Baird:** Minister, in supplementary, when this practice was brought to my attention in January 2001, it was immediately addressed. The Ombudsman said, "These responses provided real solutions ... and are to be applauded on that account alone." Minister, I want to know when you and your senior officials learned about this repugnant practice of requiring parents to give up custody of their severely disabled children for them to get the help they needed. When did you learn about this practice and when did your officials learn about it?

**Hon. Mrs. Bountrogianni:** It's really interesting. I can almost accept the questions from the NDP, but from the Conservatives, the party that cut services to children, that cut mental health services to children, that wouldn't even allow the officials to say the words "poverty" or "child care" or "research"? That's what they did. We've put in over \$100 million for special-needs children alone. We have increased child care like never before. We are, for the first time, going to be doing research so that we can, for the first time—

*Interjection.*

**The Speaker (Hon. Alvin Curling):** I hope you want the answer to the question, member from Nepean-Carleton, but shouting at the minister is not the way.

**Hon. Mrs. Bountrogianni:** For the first time, part of the ministry of children services will have a research line so that we can begin to collect the data we need so that we can do our job. You were more interested in cutting taxes than in increasing services for children. We're interested in increasing services for children, and you know it.

#### OMERS PENSION FUND

**Ms. Andrea Horwath (Hamilton East):** My question is to the Minister of Municipal Affairs and Housing. For



far too long, there have been serious problems with the governance structure in OMERS. In fact, from the first day your government was elected, OMERS stakeholders have been pushing you to try to make some reforms. All of them together—CUPE, OPSEU, CAW, IBEW, OSSTF and firefighters—have been doing so, but you didn't take them seriously and you didn't take an inclusive route. Instead, you sat down with one group and ignored the concerns of all the rest. Your process was all wrong, Minister, but you still have a chance to fix it. Will you finally do the right thing and set up an inclusive table where all the stakeholders who are involved with OMERS can come up with a governance solution that meets all their needs, not just those of one small group?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Let me first of all say that we're the first government to do anything about this particular situation that the municipal employees in this province have been crying out for for at least the last 10 or 15 years. Certainly the NDP didn't do anything about it while they were in power, and during the Conservative years absolutely nothing was done about it. We've basically taken this step, in part, to implement the OMERS board report that was done in 2002. During that period of time, I've met with a number of different individuals. I will continue to meet with them. I've met with CUPE on at least two occasions.

The bill has been given first reading, and the reason why it has been given first reading is so that it can now go to a legislative committee so that all representations can be made by all those interested parties, both on the employer and the employee side.

**Ms. Horwath:** Minister, we're not talking about what's in the bill. We're talking about the process and what was left out of the bill. Unfortunately, you had a very bad process. It ignored the concerns of the majority of plan members, CUPE members, who alone represent 44% of all plan members.

As I said, you've made the mistake, but there's time to fix it now. You can finally do the right thing and set a table where all the stakeholders can jointly discuss and come up with a plan that meets all of their needs, not just the needs of one small group. Will you do that, Minister?

**Hon. Mr. Gerretsen:** Let me just say that I totally agree with the member who said that the New Democratic Party fully supports OMERS autonomy. Who said that? The leader of the third party, Howard Hampton. I am with Howard Hampton on that.

We are the first government to take this step. It has taken us 18 months to get there, but the other governments that were in power before us did absolutely nothing on this situation, even though the OMERS board and the various stakeholders within OMERS, both on the employer and the employee side, have been calling for this kind of action. We're starting a process that will be an open process, and it will be done by a legislative committee. We hope that all of the various stakeholders will come before the committee and set out their position

so that we can come up with the best kind of law that's possible.

## WATER QUALITY

**Mrs. Carol Mitchell (Huron—Bruce):** My question is for the Minister of the Environment. As you know, water quality is a very important issue for the people in my riding of Huron—Bruce. Not only is good water quality important for households, but it's also very important to the farmers who use it to keep their crops and livestock healthy. I'm very pleased that our government is committed to clean water.

On May 19, 2005, in a statement to this assembly, you acknowledged the five-year anniversary of the Walkerton tragedy. Five years ago, seven Walkerton residents died and over 2,000 others became ill as a result of water contaminated with *E. coli*.

Minister, yesterday you were in Walkerton. Could you please tell this House what you brought there and update the House on how this town is coping after the tragic event five years ago?

**Hon. Leona Dombrowsky (Minister of the Environment):** I'm very happy to have the opportunity to say that I brought much more away from Walkerton than I brought to Walkerton, although the people there are always very happy when a minister of this government comes to support them in their initiatives.

The people of Walkerton have done a tremendous job on the five-year anniversary of the tragedy. There were events yesterday that were designed to commemorate that event. There was a memorial garden in memory of the victims established at Mother Teresa school. I was able to be at that ceremony.

The citizens concerned from Walkerton had arranged for a water and health symposium, and people from across North America came to talk about water quality issues and how we can ensure that water is safe in communities across North America. Robert F. Kennedy Jr. was present last night to give a resounding address that very clearly indicates why we must be vigilant about protecting our environment.

Yesterday I opened the Walkerton Clean Water Centre. This is a tremendous turnaround point for the people of Walkerton. They want their community to be associated with clean water in the province of Ontario.

**Mrs. Mitchell:** I can't say it enough: Clean water is so important. Your presence in Walkerton really made a difference to that community, Minister.

Most of us take water for granted in this country because we are blessed with an abundant source of fresh water. Water is our most precious resource, and we should do everything that we can to protect it. Clean water means a healthy Ontario.

Yesterday, the chief drinking water inspector released his report. I don't need to remind you that we campaigned on a platform that promised Ontarians water that they could trust, water that would be protected from stream to tap. Minister, what progress have we made on

clean water standards since we were elected to ensure that Ontarians can trust their water?

**Hon. Mrs. Dombrowsky:** I think it's very important that we do take some time in this House to talk about the report of the chief drinking water inspector and the information that he has made public for all the people of Ontario to know about water systems in their communities. I think it is important to note that there are declining numbers of orders that are being issued to municipalities; however, I will not be satisfied until we have zero orders issued for municipal drinking water systems.

To that end, and for that reason, I have asked the chief drinking water inspector to work with the Association of Municipalities of Ontario and also the Ontario Water Works Association to assist them to achieve our goal of no violations of the 130 regulations that are in place for water system operations to meet. I'm very pleased to report that now Ontario has a chief drinking water inspector, public reporting of the performance of drinking water systems, an advisory council to recommend improvements of drinking water, increased numbers of drinking water inspectors and the strictest training and certification regimen for operators in North America.

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#### RECREATIONAL VEHICLES

**Mr. Robert W. Runciman (Leeds-Grenville):** My question is for the Minister of Transportation. Tourism is one of Ontario's major industries. Recreation vehicles, or RVs, allow people to travel the country in comfort, as you know. Parks to accommodate these vehicles are springing up all over the world. Unfortunately, your ministry has created vehicle registration policies that are punitive to RV owners and financially crippling to RV dealers. It may indeed fly in the face of free trade regulators. Minister, why do you feel it's proper for your ministry to arbitrarily change the accepted date of manufacture of RVs when registering these vehicles?

**Hon. Harinder S. Takhar (Minister of Transportation):** I will take this question under advisement. I would be more than pleased to get back to the member on this issue.

**Mr. Runciman:** This shouldn't be a mystery to the minister. We spoke to officials in his office several times over a month and a half ago. We asked your staff at the time for an explanation of your RV registration policies and we're still waiting. Clearly you haven't even been advised. I guess that's the way you respect the opposition members of this House, apparently.

Back in 1979, the US National Highway Traffic Safety Administration established that with vehicles manufactured in more than one stage, registration reflects the year when the final product is completed, and the same rule applies to other Canadian provinces. But in Ontario, your ministry ignores this policy and dates a vehicle based on when the chassis was manufactured. Therefore, a 2005 RV instantly becomes a 2004 RV with

the resulting loss of value. Minister, why does your government have a policy that runs counter to every other jurisdiction in North America?

**Hon. Mr. Takhar:** All I can say on this issue is that this is the policy that was set by the previous government and your colleague—

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. Minister, just allow your other minister to respond without interruption.

**Hon. Mr. Takhar:** The member on the opposite side says he wants the right answer, not a cheap shot. I said I will take that under advisement and will get back to the member. If that is not acceptable, I mean, what else can I say on this issue?

#### EMPLOYMENT STANDARDS

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Labour: On June 30, Midtronics Canada is going to be closing their North Bay operation, putting their employees out of work and sending those jobs, as it is, to China. It's bad enough that these workers are losing their jobs, but Midtronics is also refusing to pay severance wages. Many of these workers will have been with the company for over a decade. They don't know what they're going to do. Minister, what are you going to do to help these working women and men get the severance they deserve?

**Hon. Christopher Bentley (Minister of Labour):** As the member would know, the first thing that should be done is that the workers should contact the Ministry of Labour office and ensure the employment standards inspectors know what the issue is. The fact of the matter is that, for many years, employment standards in this province were not being enforced. In fact, there were a total of 97 prosecutions of employment standards violations between 1990 and 2003. In the past year, we decided we would increase enforcement and we more than doubled the number. There are almost 250 prosecutions instituted. But that's not all, because a special collection unit that was set up, under the previous administration, as a test pilot, has been expanded throughout to cover all matters in the province. So where monies are owing, we're much more effective at collecting them. I'm looking forward to the member making sure the ministry has details of this issue, so that if there are violations of the act, it can be properly dealt with.

**Mr. Kormos:** Minister, Midtronics Canada—and you really should know this—is a boss that has shown contempt for working women and men and for the laws that are supposed to protect them. This company has refused to give its employees their due vacation time so that those workers can look for new work. They've also exploited the 60-hour workweek, the one that you've kept alive, so they could keep production up at the same time as they're planning to shut operations down. They've whittled the workforce down to 45 jobs, and now they claim that they don't have to pay severance.



Minister, these workers deserve far better. The International Association of Machinists and Aerospace Workers has asked you to close the loopholes in employment standards laws that permit this boss to deny these workers their severance. Will you at least do that?

**Hon. Mr. Bentley:** The member would know that the most effective way to help workers in situations such as this is to make sure that they immediately contact the local office to make sure that the government protections which exist through the act are immediately brought to bear. Legislation and regulation is great, but that doesn't sound like it's going to address the type of situation that he outlines. So if it is real concern about the workers, get their claim into the local ministry office. It can be investigated and worker protections can be extended.

The fact of the matter is, we rolled back the 60-hour workweek, which their party objected to and voted against. We brought in family medical leave. We're enforcing the act. We're inspecting as never before. The Employment Standards Act and protections for vulnerable workers are being protected as never before. We're proud of that record.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** My question today is for the Minister of Public Infrastructure Renewal, and I know the minister has been ignored today by the opposition, so he's looking forward to the opportunity.

As you are aware, the previous government for years made promises but failed to deliver on much-needed infrastructure investments in areas such as health, education, transit, transportation and justice in this province, even though these are important areas of investments within my riding of Pickering-Ajax-Uxbridge.

Last week, Minister, you took the opportunity to announce ReNew Ontario, a five-year, \$30-billion infrastructure plan to help increase investment in Ontario's public infrastructure, and specifically those same areas that were neglected for far too long.

My constituents hold these areas in very high regard and are interested in knowing what this government is doing to help modernize and replace infrastructure assets in many areas in these sectors. In particular, they remain interested in the Durham consolidated courthouse, promised by two previous governments but not delivered—

**The Speaker (Hon. Alvin Curling):** The Minister of Public Infrastructure Renewal.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I want to thank the member from Pickering-Ajax-Uxbridge for the question. The member is quite correct: Both previous governments neglected Ontario's infrastructure for far too long. The contrast is that our government has set out a vision and a realistic plan that focuses on the priorities that Ontarians have set for us.

Ontarians have told us that health care, education and economic prosperity are important priorities for this province. Unlike the last government, we listen to Ontarians. Under ReNew Ontario, our five-year, \$30-billion plan to increase investments in Ontario's public infrastructure, our government will ensure that these investments are made in key priority areas. We need to build our infrastructure better, smarter and faster, and to do this, we have a made-in-Ontario approach that puts the public interest first. ReNew Ontario will invest in the areas that matter most to Ontarians, while accommodating growth—

**The Speaker:** Thank you. Supplementary?

**Mr. Arthurs:** I'm pleased that we as a government have the courage to invest in the future of this province to ensure that the high-quality services Ontarians need and deserve will be there for them when they really need them.

Now that they know the government cares about their future and is listening to their priorities in health, education and economic prosperity, they'd like to know the kinds of investments we're considering in each of these various areas. Within ReNew Ontario, what is the McGuinty government doing to ensure the province's hospitals and schools, its post-secondary education, its roads, its transit and its water systems are ready for the future and for the anticipated growth in fast-growing areas such as Durham region?

1530

**Hon. Mr. Caplan:** I know all members of this House will be interested and will want to listen to the answer. If we want to meet the needs of a growing and aging population, if we want to help our economy grow strong, the status quo simply isn't going to work. The government and its partners will invest more than \$30 billion in Ontario's infrastructure. We're going to encourage our pension plans, like our teachers' pension plan and OMERS, to invest in Ontario's infrastructure.

Working together, we will invest—and I want members to pay particular attention—\$5 billion in health care and hospitals by 2010; more than \$10 billion in schools, universities and colleges; \$11.4 billion in public transit, highways and borders and other transportation; more than \$600 million in affordable housing; more than \$1 billion in the justice sector. Our first such project, as the member pointed out, will be the Durham consolidated courthouse. Of the \$30 billion—

**The Speaker:** I'm sure you can do that tomorrow.

#### ELECTRICITY SUPPLY

**Mr. John O'Toole (Durham):** Thank you for that consideration, Speaker. I do appreciate it.

My question is to the Minister of Energy. Minister, you would know that today in Barrie the Society of Energy Professionals is bringing to your attention the great risk that's in the transmission grid in Ontario. In fact, they made announcements last week about the May 27 situation, which was a massive short circuit at the

Milton switching station. You should also know that that 2,000-megawatt blip had consequences to our economy and to the safety of people in Ontario. For instance, the cost to NOVA Chemicals could be in the neighbourhood of \$25 million, and there were others. I'm certain you would know that.

But what the energy professionals really want to know and to bring to your attention—they're very concerned that you don't have a contingency plan in the event of a power interruption in Ontario. Minister, my question to you is very simple: What is your government doing to ensure that the citizens and indeed the economy of Ontario are being protected during any interruption, and what are your contingency plans?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** What we're doing, first of all, is undoing everything the Tories did in the last eight years. Let's review that record. Is there a contingency plan in place? Yes, there is. Even the society themselves—let me quote what they said yesterday. They said: "I'm not willing to go as far as to say that it would have been avoided if we were there, because I believe that's an overstatement."

I'd urge you and everyone else to turn down the rhetoric. Both parties should get to the table. This economy was not threatened and the blip was not caused by that. There is a robust contingency plan in place in the event of a strike. I hope that won't occur. I don't believe it will at this point, but let's see what happens.

I'll further say to the member opposite that that type of allegation—that somehow that blip was caused—is nothing but pure fearmongering. It's not supported by the facts; it's not supported by the reality. The reality is that when the blip happened, it got fixed immediately, and it was only a blip. What could have happened didn't happen. What should have happened did happen. The system worked, it responded, in spite of the mess you left public hydro in.

**The Speaker (Hon. Alvin Curling):** I'm urged to give another supplementary, but it's the end of question period.

## PETITIONS

### PROPERTY TAXATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas many owners of seasonal trailers kept at campgrounds have raised their concerns over the impact of property taxes on seasonal trailers and the unfairness of imposing a new tax on persons who use minimal municipal services;

"Whereas this new tax will discourage business and tourism opportunities in Ontario and will cause many families to give up their vacation trailers altogether;

"Whereas the administration of this tax will require a substantial investment in staff, time and resources across the province of Ontario;

"Whereas some representatives of the recreational vehicle industry, campground proprietors, and trailer owners have suggested an alternative sticker or tag system to establish fees for seasonal trailers;

"Therefore, we the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario immediately abandon the assessment and taxation of recreational trailers used on a seasonal basis in 2004; and that the government of Ontario consult with all stakeholders regarding the development of a fair and reasonable sticker or tag fee that would apply to recreational trailers used on a seasonal basis."

I affix my name in full support.

### CREDIT VALLEY HOSPITAL

**Mr. Shafiq Qadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario regarding the Credit Valley Hospital capital improvements.

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I send this to you via page Emma.

### JUSTICE SYSTEM

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:



"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal; and

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario; and

"Whereas the ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system even though the Attorney General's ministry is continually monitoring;

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and [to] make the public aware of his findings immediately."

I've also signed this.

### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition here, and I'd like to thank Deanna Gopie of Castlebridge Drive in Mississauga for sending it to me. It's to the Ontario Legislative Assembly, and it's about banning smoking in public places in Ontario. It reads as follows:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I support this petition. I affix my signature to it, and I'll ask Alexander to carry it for me.

### JUSTICE SYSTEM

**Mr. John O'Toole (Durham):** It's my pleasure to present a petition to the Legislative Assembly of Ontario:

"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal; and

"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario; and

"Whereas the ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system even though the Attorney General's ministry is continually monitoring;

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and [to] make the public aware of his findings immediately."

I'm pleased to sign and endorse this on behalf of Bert Werry and Peter O'Brien from my riding.

1540

### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here, and I'd like to especially thank four people for sending it to me: Meg Hughes of Forest Bluff in Lisgar, Yvonne Link of the Collegeway in Erin Mills, Kay Dryden of Falconer Drive in Meadowvale, and Mary De Almeida of Snowflake Lane in Trelawny.

It's to the Ontario Legislative Assembly with regard to the Credit Valley Hospital's capital improvement campaign, and it reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I support this position, and I'll ask page Graeme to carry it for me.

## REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I wasn't sure we'd get a chance to do this petition. The member from Mississauga looked like he had a speech going there.

A petition to the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

"Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a 'centre of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I support this petition, and I send it down to you with Benjamin.

## APPRENTICESHIP TRAINING

**Mr. Phil McNeely (Ottawa–Orléans):** A petition to the Legislative Assembly of Ontario:

"Whereas the province of Ontario is currently experiencing a severe shortage of tradespeople;

"Whereas potential plumbing apprentices are being turned away due to lack of available apprenticeship positions;

"Whereas the Trades Qualification and Apprenticeship Act only allows an additional apprentice for every three additional journeymen employed by the employer in the trade and with whom the apprentice is working;

"Whereas the number of skilled journeymen available to train apprentice plumbers is rapidly declining as baby boomers reach retirement age;

"Therefore we, the unsigned, petition the Legislative Assembly of Ontario to amend RRO 1990, regulation 1073, the Trades Qualification and Apprenticeship Act, such that an additional apprentice may be employed for each additional two journeymen employed by the employer in the trade and with whom the apprentice is working."

## HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue."

As I am in agreement, I've affixed my signature to this, and I'm happy to give it to Luke to deliver to the table.

## GASOLINE PRICES

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I have a petition entitled "Stop Gouging Consumers at the Pumps":

"Whereas gasoline prices have increased at alarming rates; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Ontario McGuinty Liberal government immediately freeze gas prices for a temporary period until world oil prices moderate; and

"(2) That the Ontario McGuinty Liberal government and the federal Martin Liberal government immediately lower their taxes on gas for a temporary period until world oil prices moderate; and

"(3) That the Ontario McGuinty Liberal government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario."

I sign my signature.

## VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter fire-



fighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

I've affixed my signature. I want to thank Dave Anderson of Harriston for circulating it.

#### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I'm pleased to read a petition that was sent to me by, among others, Elaine West of Oakville, and I thank her for the petition. It's to the Ontario Legislative Assembly and it deals with the banning of smoking in public places in Ontario.

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I completely agree with this petition and I'm going to ask page Devon to carry it down for me.

1550

#### OPPOSITION DAY

##### PARLIAMENTARY PROCESS

**Mr. John Tory (Leader of the Opposition):** I move that the Legislative Assembly call upon the government,

To conduct legislative proceedings in a way that reflects the values of all Ontarians, such that all members of the Legislature conduct themselves with the highest degree of professionalism and respect for their fellow members;

And, that the government recognize and respect the legitimate role of the opposition parties, all means of ensuring government accountability, and the importance of meaningful public consultation when formulating public policy.

In looking at the motion that we put together to try and get the subject of decorum and civility and the effective functioning of this Parliament put on the record, I would acknowledge that perhaps it should have said that the Legislative Assembly call upon itself, so we weren't looking like we were saying that this was all at the feet of or on the shoulders of the government, because I believe that the points I'm going to try to make today—and I'm sure that colleagues on all sides will as well—speak to the role and the functioning of this place. Therefore, the responsibility for trying to do something about it rests with all the members who are in this place.

I want to just deal with the question of what I'll call behaviour, for lack of a better word, and with process. I'll start with process.

By the way, I want to admit up front, because I think it's important to be honest about these things, that the concerns I have about process didn't get invented or didn't start with the election and swearing in of this government. The last time I was here, working for former Premier Davis, was 20-some-odd years ago, and I think it's gone on over a period of time, under successive governments since that time. But if you look at the concerns I have about process, which speak to the effectiveness of this place and the meaningful accountability and the importance of real consultation and so on, I think all the changes are heading in the wrong direction.

Let's start with committee hearings. The government is fond of saying—and I will admit that I haven't actually counted it up, but they'll say, and I'll take their word for it, in the spirit in which I'm trying to have this discussion today or take part in it—that they have sent out to committee more bills, as a percentage, than perhaps previous governments did. But to me, when you do that and you send the bills out for one day of hearings on a matter that may affect a very large number of people, and it's not advertised and it's done on two days' notice, in some respects, sometimes you'd almost argue it's worse than not doing it at all.

I think of the example of Bill 186, the bill affecting Peel, and the fact that the people showed up there—that

was a bill that affected one million-and-some-odd people in the region of Peel. When they came to the public hearings, they had I think two days' notice. The only notice they received was on the Legislative Assembly of Ontario Web site. I'll say to you, Mr. Speaker, that that is a very excellent Web site. But if you said to me, "Are there a large number of Ontario citizens anywhere, whether it's Peel or anywhere else, who check it with great regularity to see what's up?" I would say, "I don't think so." In that sense, for the government members to have said that day, "Well, don't worry. We gave lots of people notice because we put it on the Web site," it's not the kind of approach I would talk about in saying we need to have meaningful public consultation. I don't think it then really allows the government to take credit for the fact that that bill went to a public hearing. It's not real public consultation. I know we can't have endless public consultation on that or any other bill, but to say one half a day in Mississauga and one half a day in Peel, advertised only on the government Web site, with like 24 hours' notice—I mean, come on now. What kind of real public consultation is this?

I look at other things. Again, it didn't start with this government. The freedom-of-information laws and the degree to which there are responses given in a timely fashion, or at all, to requests made by the opposition, or by the public, for that matter—don't take it from me. Take it from the survey that was just in the National Post—I guess it was done by a lot of the leading newspapers in Canada—where Ontario didn't get the worst mark, but we sure didn't get an A either; I think we got a C. They said, "Look, a lot of stuff people have the right to see."

I remember asking about the ministers' expense accounts that were tabled here today, and I was told, "No, no," that they had to bring in a computer consultant and various other things. All I said was, "Just send me over the very piece of paper that the financial departments relied upon in writing the cheque to the ministers, which we know was done months ago. I'll just take that, because if it was good enough for the guy writing the cheque, it's good enough for us." But no, there has to be a computer consultant and months of time taken, and you get blacked-out pages and so on and so forth.

Then we get the order paper questions, which I think have become, frankly, a farce. The other day, as part of our discussions about the ongoing proceedings of the House, we said we wanted to have those answers. Lo and behold, the day after we asked, they all mysteriously appeared. Well, if they were ready to be given to the opposition who had asked, why weren't they just given on a timely basis? Part of what allows this place to work is that the opposition and the media and others are entitled to use these tools to get information.

Those are the process concerns, at least a brief summary. I have a short time, because many of my colleagues and members on all sides want to speak on this. I think that is an indication of some of the process concerns I would have that are just causing this place not to work well.

I would have said that more time spent in genuine public consultation, more time spent where the members in committee could actually work over the details of a bill and so on, would be more productive than some of the time I see being spent in here. I'm new here, so I shouldn't have an awful lot of opinions about that, but I'm just saying an early observation would be that.

Now, let me just go through the matter of behaviour, and I want to incorporate my concerns about process with my concerns about behaviour. I came here obviously having grown up in a family, as we all did, I went to school, had a professional career as a lawyer and then a career as a business executive and all kinds of experience in the community working for community organizations. Nowhere in my life did I behave in the way people behave here. Nowhere in my life previously was it tolerated. Nowhere in my life had I learned how to behave that way, ever, anywhere, even when the doors were closed and there were no television cameras and you were not in the highest calling that people have in public life. So my concern is, why do we do that here? I guess I want to just try and answer in the remaining time, why is it better that we should not continue to do what we're doing here?

I think the first and foremost reason is about public confidence. I think it is not befitting what we do here to have the level of behaviour descend to what it has descended to in this House. I can compare it even to what I saw when I was here 24 years ago under Mr. Davis and all that I've watched in between. Ask anybody, and I've asked many people. Even members opposite have spoken to me and said there is no question, for those who have been around a long time, that things are not as they used to be.

But forgetting about that, it is not befitting what we are sent here to do. I think it is therefore going to erode confidence in us as people. I said to the media one day a couple of weeks ago how disconcerting I found it when I went door to door in my by-election and found people saying to me, because I was now a politician—and they weren't directing it at me in particular; they were directing it at all people who were in politics: that we were all people who were basically beneath contempt. I think what we do here and the way we act here contributes to that. People see it and they say to themselves, "Why should I have respect for people who conduct themselves that way?" I think it reduces respect for this place. I view this—and I think all the people who are here do—as the most noble place you can be, serving the public, doing the public's business, addressing, albeit with differences of opinion from time to time, issues of interest to the public and issues of concern to them. I think it reduces confidence in that, and I think it reduces confidence in the work we actually do. Whatever the results are, even when they're good, confidence is eroded in that result just because people say, "You're behaving like people who are juveniles and are disrespectful of us, the people, and of the place you're in, so why should we respect you, why should we respect that place, and why should we respect the output of that place?"



My second concern is about, for lack of a better word—it's a business kind of word—productivity. I don't think there's any question at all but that the prevailing behaviour and atmosphere here reduces the productivity of this place. We are here, I believe—I came here, from my career in business, to help, working with other members, solve real problems for real people. I just think we can't afford to dismiss and demean the people who are here and spend a lot of our time and energy doing that. We need their talent and their energy on all sides, to address some of these huge problems that don't have easy answers. On the discussion we were having today about adoption, I would be the first to say, and I tried in my questions—I try as often as I can—to say, "Look, I understand this is not a simple issue with an easy answer." But can't we find a way to have a more civilized kind of dialogue about these kinds of things and work together instead of, as I've said in the media, trying to pretend this is some sort of video game where what we're trying to do is do in as many people on the other side as we possibly can?

Thirdly, leadership by example: Why does it matter? You know, there are families and businesses across the province. There are school kids who come in here and fill these galleries every day. Don't we have a responsibility—I'll answer yes—to behave in such a way that we set an example for those people whether they're here or watching or just hear about us? I can tell you that since I have been talking about this and have been on radio and television and in the newspapers talking about it, I've had a tremendous degree of response from people without regard to partisanship. They've said, "Keep doing what you're doing," because they're embarrassed by what they see in Parliament in Ottawa, they're embarrassed by what they see in Parliament here, and they would like to see some changes. They think it's right, and they think we should not just be talking about it but doing something about it.

I've noticed this week, for example, and I'm not sure whether it was because there was a resolution on or because we're getting closer to the end of session, that it has been quieter here this week. People have told me it's quieter since the time I've arrived here. I'm not sure whether that has anything to do with my talking about this or whether it's just a good time, but the bottom line is that whatever it is, it's working. If there's something in this water they hand out every day, maybe that's it.

1600

I want to read you an e-mail. It's an e-mail that came from a young boy. I had a school group in this week from a school in my riding, Mount Forest Public School. When they were in, we chatted about this and that, they made a wonderful presentation about veterans and other things and then they told me they'd had a Parliament in their school. I, of course, said, "Which one is the Leader of the Opposition?" and a young lad by the name of Scott Donald, who's in the grade 4-5 or 5-6 class at Mount Forest Public School, identified himself as the Leader of the Opposition. I said, "Scott, would you do me a favour

today and watch question period"—they were here a couple of days ago—"and tell me what you thought of it all and how you think I did? Because I'm the Leader of the Opposition too."

I just want to read to you an extract out of his e-mail to me. It's not all complimentary to us, either. "We were surprised how much people were talking and not paying attention to you or to other people speaking. Even in your own party, people were getting up and walking across the room, reading a newspaper, talking together, laughing and calling out. We wouldn't be allowed to be like that in our school House of Commons. In our section"—I think he means the section up there in the gallery—"the security guard wouldn't let us wave, point, laugh, talk or stand to see better."

I thought, isn't it ironic that he would have noticed that? You can see them up there; they're very diligent in their job, our wonderful security people, at going at the first hint of anything—standing up, scratching your ear or whatever. They're up there being told they can't do that, and when they watch what's going on down here, almost anything goes. Short of physical assault, almost anything goes. I think there's a lesson in that, in terms of the observation of Scott Donald, Leader of the Opposition at Mount Forest Public School: leadership by example.

Fourthly, a return to better days. This sounds like a nostalgic notion; maybe it is. You can't turn back the hands of time, but if we can't get along better in here and do our business without the acrimony that has set in and the sharp edge that is its constant nature, then I think it will be absolutely beyond contradiction that we won't be able to work together to solve the real problems. I think that when people tell me it used to be different, that's what they mean: There was a day when you could sit and talk about issues; when you could even just sit together and share experiences. That was because the atmosphere here was such that you could do that. Today it's harder. It happens, to some extent, but it's much harder. I don't think that's wrong.

I was asked as recently as five minutes ago out there—it's about the sixth time I've been asked by the press—whether I'd had a call from the minister, her officials or anybody else about the adoption matter, to embark on discussions about how we might address some of the concerns we're raising. I said, "You and your colleagues ask me about that all the time. I can tell you right now, the number of calls I've had since I became the leader of this party, from anybody in the government of Ontario—from the cabinet or any official of the government of Ontario—is one. I had one phone call two weeks ago from Ms. Cavoukian, who phoned me to talk about this issue. No other minister has ever called."

I'm not suggesting they should be occupying their time phoning me all the time, but I am the leader of the official opposition. If there are issues that we might more expeditiously and productively deal with in this House, especially difficult ones, I would have thought there would be a phone call, a note or somebody coming over and saying, "Can we talk about this?" Certainly, that's

the way you deal with it in every other aspect of life, everywhere: business, family, school, everywhere. Here—no way; no such phone calls. People laugh; the Minister of Energy got up the other day and said I was talking about some sort of a Rosedale tea party. Well, that's part of what I'm talking about here. I am talking about us finding a way to do the people's business in a civilized way, to work together as they expect us to do, in the public interest, and to try hard, while we will disagree many times, to address the public interest and to find ways we can solve those problems in the public interest together, instead of what they see here, which is the sort of video game thing to which this has degenerated.

My final comment is this—how am I doing?

*Interjections.*

**Mr. Tory:** See? I'm just wrapping up, because there are others who want to speak. He said a minute; you said 30 seconds. I'm taking the minute.

I think the other reason why we should address this is that there clearly is a better way. We've seen it in the past; we've seen it in other Legislatures in this country. There are people in this House on all sides who have told me they've been to Alberta; they've been to Quebec, where, frankly, Mr. Speaker, you'd never have to get on your feet and say, "Order." The word is hardly ever spoken, because people understand that they're there to do the public's business and to do it in a civilized, productive and respectful way.

I will conclude by saying this: I believe it is simply a matter of will, on all sides. We don't get any prizes over here for perfect behaviour, nor does anybody on any side of this House. It's a matter of will. I said the other day, talking to Carol Goar, "If we went out and did a survey of 100 of our constituents or 1,000 of our constituents, I have absolutely no doubt what the results would be in any riding of 103 in this province. They would say, 'Clean up your act. Do better.'" So if you know that's true—and I'll bet you there will be no one in this House who will stand up and disagree with this—then it becomes a matter of whether we have the will, whether we think the role we have to play here is important enough, whether we think that productivity and leadership by example, confidence in public institutions, confidence in politicians is important enough to do something about it.

By talking about it, all I'm trying to do is take a first step, to lead by example in the way I conduct myself and in the way I try to work with my colleagues to encourage that kind of thing to happen. I think it's important. As I say, the resolution perhaps should have said that we call upon ourselves, all of us, to do this, and if so, I apologize and should have reworded it that way. But I think the message is clear: It's all of us to do it, all of us to have the will, and then just get on with it.

**The Acting Speaker (Mr. Michael Prue):** Further debate?

**Mr. Peter Kormos (Niagara Centre):** I want to indicate that New Democrats join in their support of this motion. I am fortunate, along with some others, to have been here long enough that I recall a period of time that the sponsor of this motion refers to in his comments.

A couple of observations. One, there was a time where the debate in here was as bitter and divisive as any debate could ever be, but nonetheless there was a level of regard reflected in the demeanour of individual members that didn't denigrate, and where *ad hominem* was the exception rather than the rule.

I recall a time before time allocation, when there were no limits—Mr. Bradley and I have spoken about this often—on the lengths of speeches or the length of time that someone could hold the floor, for instance. I recall members from time to time holding the floor for literally day after day after day after day, to the point of weeks on end. But I say to you that in that period of time—and it wasn't a lengthy period of time while I was here when that standard prevailed. During that period of time where there were no limits on the length of speeches and where there was no time allocation—there was the common law closure but no time allocation—I'm convinced that more legislation got passed.

Why would you keep the floor? Why would you maintain debate on an issue? It wouldn't be a matter of talking out the clock. It would be a matter of wanting to attract attention to a particular piece of legislation or a particular government policy. The fact is that when legislation is passed in the course of two or three days of second reading debate, a very, very compressed press gallery—and others will know what I mean by that as well; there are far fewer editorial staff working for newspapers, certainly here at Queen's Park—has all that much more difficulty, with scarce editorial space in the paper, in getting particular messages out. So there was a time when members, yes, and parties and caucuses would spend a great deal of time drawing attention to a particular issue.

But it also meant that when there were relatively benign matters, matters that could be dealt with in a more perfunctory way, they were dealt with in a more perfunctory way. No limit on speaking time, no time allocation standing order, yet more legislation was passed, and we're not talking about an absence of partisanship or overt conflict in ideology and philosophy.

I remember a time—and I'm not that old; I'm not as old as Mr. Bradley, for instance. I haven't been here as long as Mr. Bradley either, but if I remember, he certainly will. I remember when during the course of major addresses—for instance, when a caucus leader, a party leader, spoke, or when lead-off speeches were being made, assuming, of course, that those lead-off speeches contained legitimately something akin to an expression of the party's position on a particular issue—there was an unspoken accord about not heckling. Oh, no; that's not true. There was the occasional heckle, because I remember a time when the heckle was witty, when it was rare, and when it, perhaps best put, reflected that historic spirit of parliamentary debate and verbal duelling as compared to—I trust Mr. Tory is speaking of this as well when he addresses this issue—the rather embarrassing phenomenon of hecklers not realizing that it's their job to embarrass the speaker, as compared to them-



selves. And that is certainly third-rate heckling on a good day. It is.

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Look, am I going to plead innocence? I am not about to confess guilt, but I'm not about to, at the same time, stand here and say, "Oh, I have never found myself a party to any of these things." Of course I have. Interestingly, like some others, I came here from a background in court. That's where I spent four and five days a week in my work before I came to Queen's Park. I thought, like some of the other people here with similar backgrounds—I'm not talking about as an accused, Ms. Broten, I'm talking about as counsel, although there were times—I spent four to five days in court, at least 48 weeks out of the year, and I came from a professional culture where I thought it's not complicated if you get your facts, if you research the background, if you look at precedent, as lawyers like Mr. Tory are inclined to say. Where you present your argument in a reasonably logical, rational way, you expect people to listen to it, and you might just have a chance at persuading fair-minded people to support your case.

Of all the inappropriate backgrounds to come from, to come to Queen's Park, it's true. In the course of thinking about this debate, I recalled reading *A Capital Scandal* by Fife and Warren, their overview, and it's both entertaining but very astute. *A Capital Scandal*: It was published back in 1991. Robert Fife, of course, is a journalist. They talk about that regrettable comment by Pierre Trudeau, and that was the occasion of Trudeau's now-famous pronouncement about parliamentary nobodies:

"The opposition seems to think that it has nothing else to do but talk.... The best place in which to talk, if they want a quorum, is, of course, Parliament. When they get home, when they get out of Parliament, when they are 50 yards from Parliament Hill, they are no longer honourable members—they are just nobodies."

They go on to criticize Brian Mulroney for displaying the same sort of disdain for individual members of Parliament. Mulroney is reported to have made the comment: "Albertans will have to decide whether they want this," referring to his own cabinet members, "or some backbenchers," sneeringly.

I have often had occasion to note in speeches and have made reference to the Trudeau comment about mere backbenchers are but nobodies once they're 50 yards from Parliament Hill, and over the course of my time here, it's more notable than not that cabinet ministers can be but nobodies sitting in their seats. When you look at the style of government—I'm not going to suggest it began with this government. As a matter of fact, I think I was here when it began. Enough said. I think I was here when the style began of government by the Premier's office.

Some of the clerks recall that period too, and of course they're non-judgmental about it but for their memoirs, years down the road. I witnessed—I was here at a very fortunate time for me—that transformation of Parliament to government not just by executive, but to government by Premier's office and even more tragically, increas-

ingly, government by non-elected persons, a very regrettable transformation. This province certainly didn't lead the way because the notable culprits, Trudeau among them, were people who did that on Parliament Hill. I don't say this out of any particular partisanship or malice; it's been well documented by how many political observers and historians.

I have seen this Parliament when bills not going to committee was the exception rather than the rule and when the committee wasn't just a matter of lip service—"Oh, we'll have a couple of days of committee"—but when some committees, although it sounds bizarre now, actually went out of their way to generate attendance, to whip up work for themselves. They did. Mind you, I suppose it's much more difficult, it's harder work, when you do that. But the pay rate here—I don't want to get into that debate, but nobody here is earning the minimum wage. Some of the staff probably are when you count the number of hours they work, but no elected person. Elected people are reasonably well paid in this country, and certainly in this province. So I remember that.

I remember the transition, the transformation, the metamorphosis of committees to the point—and I think other members will share this as well—where increasingly members of the public who came to committee would walk out of that committee room shaking their heads, saying, "What the hell did I just get myself into? Why did I," or their team of people or their community group or their professional association or what have you, "spend hours and hours analyzing a piece of legislation, come here to Queen's Park, prepared legitimately, bona fide"—they're not lobbying for one cause or the other, but in a bona fide way trying to assist, free, no charge, the government, a Parliament, to improve a piece of legislation.

I was a witness—a much younger MPP, I tell you, skinnier and darker-haired—to the transformation of the public who have attended a committee increasingly walking out and shaking their heads, the public chastising the committee for not listening, literally being bold enough to chastise them as members would chat, do crossword puzzles, doodle and write notes to Lord knows who, or get up and wander out in the midst of—and I understand that people from time to time have to get up out of the committee. As I get older, it happens more frequently to me. But think about it. I'm talking about a member of the public, somebody for whom coming to Queen's Park and appearing in front of a committee is a big deal, and it is a big deal; it should be a big deal. They've worked darn hard on that submission, and they've done it for nothing. They come into that committee room and they're talking to two out of—what is it, 12 members? Seven, eight, nine members? That's not very impressive, is it?

**Mr. Khalil Ramal (London-Fanshawe):** But we listen.

**Mr. Kormos:** Oh. There is a heckle, an interjection, which Hansard will now record, from Khalil Ramal of London-Fanshawe, so typical of the attitude that's expressed.

I was a—you can't say freshman any more, but what do you call them?—novice MPP back in the Peterson government of 1987. I came here in 1988. It's been remarkable how over the course of but those few years I've witnessed such an incredible turnover here at Queen's Park—Norm Sterling yet a few years more, and Jim Bradley a few more years himself in terms of witness. It's the exception rather than the rule that newly elected members find themselves re-elected, by and large. And I was blessed, I suppose, because I got elected to an opposition seat. I had mentors in my caucus—along with other caucuses, I should indicate. I was so fortunate. I was here and I watched Ian Scott, I watched Nixon, people like that. I watched Andy Brandt. I watched Norm Sterling and Bob Runciman at their youthful best. But I was very fortunate to have been the beneficiary of some—to name the New Democrats, they're legion: David Reville, for those of you who recall him, and so many others.

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I was so fortunate to have been mentored by some very skilled parliamentarians, really skilled. It didn't take me long to learn that when you're asking questions in question period, you don't go for Bob Nixon or Ian Scott; why waste your time? You go for, as the TV show says, "The Weakest Link." Have you noticed lately? It's a strategy that hasn't been lost on the New Democrats even to this day.

I saw effective people and I, quite frankly, spent more than a little bit of time listening rather than talking. I think that served me well. I have seen the—dare I say it?—cockiness of people who are cursed, and I will say it's a curse, of being elected directly to government, because ambitious people elected directly to government, more frequently than not, have no understanding of what the opposition's job is.

I say this to you: I have seen good governments and bad governments—no, I'll put it this way: I have seen governments in good times and in bad times. But I tell you, bad government has more likely been the result of an opposition that's been cut off at the knees or eunuched or muzzled than it is anything else.

One of the things that I urge our groups when they tour the chamber to have pointed out to them is up there, where you see the two symbols in the plaster work—I don't know what the proper name for that kind of plaster work is—the friezes. Facing the government—and the symbolism shouldn't be lost on people—is the owl, reminding government members to exercise wisdom. The rump can't see it. That becomes apparent from time to time. Facing the opposition members is an eagle, reminding opposition members to be vigilant and to be tenacious and to be tough and to be fierce.

Question period, one of the most important parts of a legislative day, but one hour—and I appreciate that there are practices and variations of those practices from Parliament to Parliament—is the property, in my respectful view, of the opposition. It is the one hour per legislative day—well, not really, because we have these darned evening sittings, which constitute a legislative day and

deny us an opposition period, which is why New Democrats have never supported sitting in the evening. We genuinely do not believe that there should be a legislative day, but for on consent, without there being a question period. Question period is that scarce and the most valuable and the most important element of a democratic Parliament. I really believe that. I believe it not only because I read it in any number of good works about Parliaments, but because I believe that my few years here have demonstrated that to me.

That's not to say, I suppose, that government members shouldn't participate in question period, and it's not to say that when government members participate in question period, they should be calling upon their colleagues as ministers to resign or to throw themselves on their swords. But surely one of the least impressive portions of question period is the proverbial lob balls from government backbenchers, when in fact there isn't a single government backbencher who doesn't have something important to ask a minister about their riding or about an issue about which they are particularly passionate. I'm not suggesting, once again, that government backbenchers—even though some of my colleagues suggest that I did that to them when they were in cabinet and NDPers—should be calling upon their minister colleagues to resign. But surely that scarce one hour a day of question period is useful for backbenchers who want some profile to important issues for them or for their ridings and for their constituents.

I understand, oh, how many years later, that spin is spin. We all know what the books say and what the professionals teach you in those spin doctor courses on how to answer questions and how not to answer questions, blah, blah, blah, blah. It's pathetic enough when the answer is inadequate; it's even more pathetic when the question is inadequate and does not serve any of us well, least of all, in my respectful view. And I've done it; I've been a government backbencher asking my colleagues questions. They didn't find it pleasant. There was no love lost from time to time. That's OK. You know what? At the end of the day, who are we most beholden to? We really are most beholden to our constituents, aren't we, the folks who send us here to Queen's Park? I don't get overly sentimental about Queen's Park and about being here, but when you think about it, there are only 103 Ontarians at any given point in time who have the privilege of doing this; 103 out of 11 million, 12 million folks.

Warren and Fife also bemoan the decline, not of oratory but of speaking. There are government members here—newly elected ones as well; there are long-serving ones who impress me and there are newly elected ones who impress me; some of them are here now and some aren't—who I am convinced would flourish if given the opportunity to take to the floor more often, I really am, and who I am prepared to sit and listen to, were they to be addressing particular issues. But, Lord Jesus, to listen to any more of those canned speeches is painful. It's painful for us, it's painful for the audience, it's painful



for the pages, it's painful for the Clerk's table, and it surely is agonizing for any thinking Speaker.

Warren and Fife bemoan the absence of speech-making, of people genuinely addressing issues. I bemoan the overly used fraudulent point of order. You know exactly what I'm talking about: the point of order made either by a member who doesn't know what a point of order is or by a member who wants to get their name in Hansard that day, and I say there's a far better way to do it. Rise to your feet and take a role in the debate.

There's only one way to overcome this, of course. Look, I think there are some government members—cabinet ministers do what they've got to do and they're paid better than everybody else for doing it, but there are some government backbenchers in this Parliament whose wings are being clipped, and they may not know it, who are being shackled, and they may not appreciate it, and who are being dealt with through a junket here or there—go here on behalf of somebody or there on behalf of somebody—or, “We'll make you the vice-vice-vice-deputy chair of the regulations committee.” You know what I'm talking about. That should be of concern to us.

Let me say this. My Speakers go back to Hugh Edighoffer, and that's not really that many Speakers ago. Hugh Edighoffer was as partisan and capable a Liberal as there was. I was very fortunate in this regard too, I really was. Not only did I have strong mentors within my own caucus and elsewhere in this Legislature, but I had a Speaker who, whether he did it consciously or not, certainly knew how to assist a young tyro member in (1) learning the rules and (2) learning effective procedure. Hugh Edighoffer was a darned good Speaker.

**Mr. Howard Hampton (Kenora-Rainy River):** He was a master.

**Mr. Kormos:** An interjection by Hampton: “He was a master.”

**Mr. Hampton:** He was.

**Mr. Kormos:** And he was. Hampton says again, “He was.”

But that was a valuable and important experience for me, it really was. I am extremely grateful to Edighoffer, because he was a tough Speaker too. He wasn't full of bluster, he didn't fly by the seat of his pants, but when he stood up, people sat down.

1630

If there's one thing that has to happen if there's going to be an effective Speaker, all of the other rulings aside—people who are more into things like hockey or refereed or umpired sports will understand this as well—it is that when the Speaker stands up, people have got to sit down or else there is no control over the process, over the House, over the members whatsoever.

I am more than concerned about the fact that in this chamber a Speaker can stand, for instance, and never mind newly elected members who may not know the standing orders as well as they will in years to come, but experienced cabinet members will continue to speak over the Speaker.

There was a time, as I read it, that when a Speaker was challenged in that sort of way by his own people—this is

before the so-called democratically elected Speaker—that Speaker had to resign. That Speaker had lost the confidence. In other words, if you defied the Speaker in that way, you didn't get thrown out; the Speaker resigned because the Speaker had lost the confidence.

I believe that one of the ways—perhaps the motion was tragically misworded in referring to the government. Mr. Tory has already spoken to that. I can't imagine anybody in this House not supporting that resolution, but if there's a message at all, it's got to be a message that this House deserves: a Speaker who is firm, who is clear, who doesn't plead with members for their compliance, but who commands it by virtue of the support we have to have for a Speaker if that Speaker is going to be effective.

I call upon the Chair to reflect on the fact that the Chair has a very significant role to play. How many times has the Chair stood up during any time of day—question period, along with orders of the day—and called upon people to restore order? Well, that sort of whiny approach to speaking, to being a Speaker, isn't what's going to restore order. I put to you, sir, that the Speaker could clean this House up in, oh, I would say two sessional days' time. No trouble at all. Two sessional days. Some clocks could be cleaned awfully fast.

I'm not about to pretend that New Democrats have not taken advantage from time to time. Certainly I don't expect any of the Conservatives to pretend that. I don't expect any of the government to pretend they haven't taken advantage of less than firm rulings on the part of the Speaker—inconsistency.

I'm far less concerned about the language that is used, the King's or Queen's English, in the course of aggressive and active debate than I am about a demeaning style of debate. You know, you should know, I think you understand that I have not been pleased with the succession of rulings from the Chair that, for instance, restrict the type of language we use, because the old two-swords-length distance between the two sides is about words. That's why we have the two-swords length. We don't engage in fisticuffs and in sword fights. Well, the sword fights, no, but I'm sure there have been—it's those late-night sittings, which again are a problem in themselves. You know what they breed. Do they breed quality debate? Oh, give me a break.

I'm concerned about the ongoing restriction of the words that you can or can't use. You see, one of the things that I've had occasion to note so often—think about this, Speaker—is that it's perfectly OK to lie in this chamber, but it's not OK to call the person doing the lying a liar, is it? It's perfectly OK to lie in this chamber, but it's unparliamentary to tell somebody that they've told a lie. I suppose that's one of the Trivial Pursuit great ironies of the rules of Parliament. But we've witnessed an increased muting of voices, and I'm not sure that's a good thing. What that means is that when voices are muted and words are censored and members are gagged, they resort to other things, other methods and other styles and tactics of expressing displeasure.

Why, I spent overnight in here with a Liberal opposition member who refused to leave his seat. I supported him, along with other opposition members. The Conservative government was fit to be tied. They didn't know whether they were—well, they were fit to be tied. They didn't know how they were going to deal with it, because even natural requirements did not deter this member from sitting here throughout the night. New Democrats supported that member in his protest, because, you see, that was all that was left. Remember what had been happening? The House had been sitting 24 hours. The government wanted to expedite the passage of their legislation. The government didn't want to take the heat, and there was heat to be taken. I'm convinced, not that I can read minds, that there were some people who were members of that government who, in hindsight, regret having done that—not not taking the heat, but making the decision that they did. But of course, you can't put the toothpaste back in the tube, can you?

I remember a Liberal opposition member going to that length, and there are times when extraordinary measures are called for. I'm convinced that those times are less and less frequent if you encourage and facilitate and accommodate wide-ranging and free debate and if you also accommodate opposition members who are compelled—and not who feel compelled—to use their time in this Legislature to focus attention on a particular bill and upon a particular issue. So people should be careful what they wish for.

I remember a majority government supporting one of its members' calls to the Speaker to forbid symbolic ribbons, the mere colour, remember? That means now—although I think some common sense is starting to prevail—that people who show up, like union members wearing a little CAW logo on their T-shirt, have been forced to remove their T-shirts, literally to disrobe, and turn them inside out. Some yuppie can come in with an alligator above their shirt pocket—

**Mr. Hampton:** Lacoste.

**Mr. Kormos:** Lacoste, right—or wear some designer crap that they've overpaid for; Mr. Berardinetti will address that. That's what happens you're up with the carriage trade on Bloor. Come with me down to Queen Street East to buy clothes and you'll be doing fine, Mr. Berardinetti. Eight-dollar haircut, \$2 tip: Steve Baltich, Welland south. And you know what? If your wife wants to come down, he'll cut hers for eight bucks too.

**1640**

But you know, be careful what one wishes for. I have expressed—and I value the clerks' advice. The fact is, we need the clerks' advice. You know why? Because Beauchesne—what's the new federal one?

**Interjection:** Marleau.

**Mr. Kormos:** Marleau, all of these—and I've read this stuff. I've read these books. Sadly, I've read them. I've even read them again. But the problem is that these classic and current reference works on procedure can, from time to time, only serve to confuse, because this House has gone off on wild, woolly courses in terms of

precedent and unique, idiosyncratic little procedures for this House. I've prevailed upon the clerks, and I'd really welcome it—I think all of us would, notwithstanding the great amount of work—with their talent and their background, to prepare an annotated standing orders. Think about how valuable that would be, with precedent and understanding, because then perhaps it might be more useful, especially for newer members, and a little bit more pleasant to read. But sadly, Beauchesne and Marleau and Montpetit are of modest use, because what are classic precedents are no longer applicable in this House. And that's regrettable too. What that means is that a Speaker, who should be guided by clerks, might also want to find himself committed to bringing us back to some classic positions in terms of interpretation of the standing orders. It's extremely frustrating, when you read the standing orders, when you read the reference works, when they appear to accommodate the opposition member, but then you find out that a Speaker has inevitably, in the presence of a majority government, interpreted that particular standing order to be more restrictive rather than less restrictive vis-à-vis the member and his or her rights.

Look, I don't know if it's going to happen in Mr. Tory's or my participation as elected members at Queen's Park. It's a matter of will. It's a matter of new members getting some support and advice and counsel from older members in their caucus who remember when things weren't like they are now. And finally—and I can't emphasize this enough—it's a matter of us getting genuine leadership from a Speaker, leadership from a Speaker who, although he is in so many respects a servant of the House, a servant of the chamber, in terms of that service, should be providing that leadership. Not capricious, not whimsical, not how he or she happens to perceive the nature of things from one day as compared to the next, but with a view in mind of affording all members an opportunity to take the floor and engage in debate: strong, aggressive debate, adversarial debate, but debate that's accompanied by regard to other members.

Mind you, then there's some onus on the members to make sure they're not simply spouting some pathetic and horribly watered down and meaningless, flaccid spin line. So many of those high-priced spin doctors are so overpaid. Talk about wanting to get your money back. Seriously, talk about consumer fraud. Where's the minister of consumer relations when we need him? Trust me, it's overrated. And I watch the spin lines being mouthed from the scripts in committees; I watch them being mouthed from scripts here in the chamber. It doesn't help me learn a whole lot more about a member or his or her constituents or his or her constituency. That's just one of the things that's important about the chamber, us learning about each other's constituencies and the members and the constituencies that we represent. Like I told some of the injured workers outside today, there are folks in here who just don't understand what not having had an increase in their cost of living over the course of the last 10 years really means. It means a 20% reduction in their



purchasing power, right? There are folks in here sufficiently insulated from the real world that they simply don't know that. They don't understand that as part of their own reality.

Strong, effective leadership from a Speaker would be oh, such a good first start. And I say that if this chamber were to do anything in unison, it would be to call for that in a clear, clear united voice. Thank you kindly, Speaker.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** I am obliged to participate in the debate this afternoon, which is on a rather interesting subject, particularly when we have witnessed some rather unparliamentary activity on the part of the party that the leader represents. I don't criticize that, because I have witnessed it over the years, and I'm not critical of members who have participated in that, but it's a little precious to get these lectures about decorum and lectures about how the House should work from a leader who is leading a party where there are people who clearly are prepared to speak out whenever they wish to, to accuse the government of lying, to accuse people of being crooks, to accuse people of being all kinds of things which are rather nasty. As I say, I have heard those and I have not been particularly critical of the individuals in that case in the heat of parliamentary debate, but I find it a little precious when I see that coming forward as though somehow there is someone who is well above that.

If we want to go back to some of the things in politics that have poisoned it, I can think of television advertising, which has poisoned some of the atmosphere as well. I remember very well an ad in the 1993 federal campaign of a Prime Minister being made fun of, a Prime Minister who had Bell's palsy. There was an ad put forward by the Conservative Party of the day that made fun of that Prime Minister, wanted to make him look stupid, wanted to make him look as though he wasn't acceptable to be a Prime Minister of Canada. That is part of the whole process as well, the poisoning of the atmosphere, and no party is innocent in that regard, may I say, in terms of negative advertising; no party is. But that's part of the entire mix.

I listened as well to a leader of a political party who put the boots to the opposition when they were in power, who took away virtually every tool that the opposition had to be able to oppose the government in a very good way. I want to pay credit. I'm not playing the game of divide and conquer, but the member for Lanark—Carleton, the longest-serving member of the Legislature, has spoken on many occasions about the rules of the House and I think has come up with some good suggestions, some of which, by the way, have been adopted by various governments.

One of the things that happened was that the individual role of the member was diminished considerably. The member for Niagara Centre made reference to the confining of speeches to a short period of time, the cutting off of that debate. When that happened, opposition members looked for other ways to block the

government, if you will, and used tricks which were simply not as effective in the long run, probably, and not as acceptable.

I watched time allocation after time allocation after time allocation of bills from this government. I think there's a reference made to it. From 1995 to 2003, the Harris and Eves governments used time allocation over 100 times. They may have felt they were justified in their own mind, but they used it over 100 times, a staggering number when we compare it to Bob Rae's government, which used it 24 times, and David Peterson, who used it a mere four times.

Under the Eves government alone, there were time allocation motions on over three quarters of the bills passed, and they allowed only one of these bills to receive third reading debate. Time allocation as used by the Tories did not allow committee hearings, in many cases, nor did it allow third reading debate. In fact, under Ernie Eves's government—I'm not saying Mr. Eves himself—only once did a time allocation motion allow for third reading. There were all kinds of closure motions, all kinds of opportunities to shut down debate. That did not enhance the role of the opposition, because I happen to believe that in our democracy the opposition has a very important role to play, and yet I saw a government that put the boots to the opposition constantly.

I well remember Bill 26, the bully bill, as they called it, which in effect threw everything but the kitchen sink into one particular bill and shoved it through the Legislature. The opposition took rather drastic action. They did not want to take that action, but took rather drastic action as a result of that. So when the rule changes took place, when government House leader after government House leader was ordered by the Conservative government to change the rules of the House, to diminish the role of individual members and to block the opposition from utilizing what were acceptable ways of slowing down the government and forcing the government to reconsider, that's when we started to see problems really arising in this House as members became frustrated as a result of that.

1650

When the government used over \$400 million worth of government advertising, which the opposition didn't have available to it, to promote themselves, to put the boots to the teachers on one occasion or another—this was partisan advertising used by the government—that certainly diminished the role and responsibility of this Legislature.

I believe that when cabinet ministers are able to allocate the amount of time for any bill on so many occasions, that's not good for the democratic process. That doesn't mean that there is never a case to use time allocation; there may well be. But I'm going to tell you that the change in this House came as a result of the change of the rules of the Ontario Legislature.

The first government I've ever seen use a tactic that I thought was totally inappropriate was the one that held the budget at the Magna offices. Here we have the On-

tario Legislature, where you're supposed to present the budget. The opposition speaks, the government speaks, and I'm always interested to hear what both have to say. But this previous government made a choice to have the budget presented at Magna, a private corporation. If that wasn't an affront to the Legislature, I don't know what was.

I remember, when the greenbelt debate was on, some of the accusations that were flying back and forth. I understand it wasn't the Leader of the Opposition who got up to ask these questions, but it was certainly what they used to call in the lexicon "henchmen," if someone other than the leader asked the question. They would get up and ask the nasty questions of the Premier, or the Prime Minister in the federal House, or certain ministers.

So I think there is a long way to go when we want to try to correct the problems that exist. But I think it is exceedingly important that we know why those problems arose and that we have some history and some context. When I read the op-ed piece in the *Toronto Star* about bringing civility back into politics, I said, "Who could possibly disagree with this?" But I do look at some of the history and some of the reasons we're presented with the situation we're presented with today.

I've seen members engage in activities which are very raucous, and I understand that, because sometimes the emotions are very strong in this House, and I don't condemn them for that. What we don't want to do is change this building into a corporate boardroom where simply no one is allowed to perhaps exercise some emotion from time to time verbally. I think it's important that those outlets be there. I have seen members here who are genuinely impassioned about subjects, and they have brought those subjects forward.

Are there days when the House is overly raucous? Of course there are days when that happens. Fortunately, most of those days are days which are few and far between, and it's focused largely on question period, as opposed to other times.

I've seen members send napkins over to the Premier. I've heard one member referred to as "George Smitherman, BS" by people in the House. I understand those things happen. It's retort that comes back and forth. But I just find it a little precious to get the lectures on these things. I'm not condemning. I don't want to condemn the Leader of the Opposition or any of his members for this, but I just find it precious getting a lecture on these things, when I see fault that perhaps exists at all times in this House.

I think we have an opportunity to improve the rules over the years. We've seen a lot more debate in committee that takes place at the present time, a lot more agreements between the opposition and the government on legislation proceeding, and that's the way, of course, it should be.

I suspect this resolution will be approved today. I can't think of anybody who is going to oppose this particular resolution. I suspect that members of the House will, as they always do, try to behave in the most appropriate

manner possible within the confines of the kind of raucous debate that emerges from time to time, but I think it's very important for the people of the province to know why we are in the situation we are in today.

I simply wish that those members on the government side who were so concerned about this some period of time ago, the members who sit on the opposition side at the present time and who were members of a government and didn't express those concerns, I wish they had expressed them. Perhaps they did behind closed doors. I want to give them their credit, but I wish they had been this outspoken when their own Premiers were putting the boots to the opposition over the years.

**Mr. Norman W. Sterling (Lanark-Carleton):** I only have a few minutes to speak in response to my colleague Mr. Bradley. I can only say that, in three years as a government House leader, I did not gain the kind of co-operation from the opposition that your House leader now gains from this opposition in terms of passing legislation. I suggest to him only that the reason we had to move time allocation was that we were pushed to three and four days of debate in this place, even on minor issues. But let's not go back. Let's go forward and think about what we can do in the future.

Mr. Kormos pointed out the tremendous power that is located at the leaders' doors, and mostly at the Premier's door. Change will only occur in this place with strong leadership by our three leaders in this place. In particular, that leadership must come from the government side. We've had over 300 votes in this place, and on only one occasion, on a very local bill, Bill 186, the Peel bill dealing with regional representation, have any of the backbench stepped out and voted against a government initiative. We've had something like 300 to 400 amendments put forward in committees of this Legislature, and only on six or seven occasions have amendments been accepted in those committees.

I think that results from the fact that we have this kind of mind-set, particularly in government, that if we accept an argument, if we listen to debate and alter our path as we go down the legislative process from second to third reading, somehow we as government are showing weakness. Instead I would like to say that I'm very much proud of John Tory and his direction to our caucus that on occasion, many occasions, it is not that important to have solidarity on every vote that comes in front of this Legislature. It's more important for us on those particular votes, those votes that I would call medium- and low-intensive in terms of political outcome, that we listen to our constituents, that we listen to the debate and that we then cast our vote in that regard.

I would say to those who would say, like Eric Dowd did in one of the papers, that the Tories are divided—I responded to that column. I say we're not divided, but what we are doing here is showing the strength of our leader, that he can explain there are differences across our province. There are differences between our constituents who we represent, and it's only through a very strong Premier that we are actually going to get reform in



this place to make this a better place to legislate, a better place for representation. I would say, in pleading to the Premier of Ontario, Dalton McGuinty, show some strength, allow your backbench to have some individuality, listen to the debate and make some of your decisions that way. That will lead to less cynicism and more support from the Ontario public.

**Ms. Laurel C. Broten (Etobicoke–Lakeshore):** The last few speakers who have spoken have been in this Legislature a lot longer than I, but what I can bring to the debate, I think, is a perspective of coming from another world, a world where aggressive, heated debate did happen, but there was a difference. As a litigator in my previous life, everyone in the courtroom listened to what you had to say. They had to be silent as you spoke and made your case as aggressively and vehemently as possible. They didn't yell at you; they didn't call you names; they didn't say sexist or derogatory comments. They didn't try to get you off track in what you were trying to say. They did listen, and you had your opportunity to raise your case before the trier of fact, before a decision-maker—to, as Mr. Kormos said, try to convince someone that you were right and the other was wrong. The difference was, you weren't trying to convince each other. I was not trying to convince my colleague on the other side of the desk that my clients were right and his were wrong. I was trying to convince the trier of fact.

**1700**

In this Legislature, who is our trier of fact? Who are we trying to convince? We're trying to convince the people of the province that what the government wants to accomplish with a certain piece of legislation is the right thing to do for the province. It's the role of the opposition to bring forward their arguments about why it's the wrong thing to do. The decision is to be made in the outside world. But for Ontarians to truly understand the debate, what we have to do—something that in fact we're seeing today—is to speak in this Legislature about the topic that is under debate. It has been gruelling and long hours when we've had to sit in this Legislature late at night and listen to colleagues from all sides of the House talk about something that was irrelevant to the point we were debating.

I guess if I could raise one point, I would suggest that we should talk about the legislation that's being debated, and I would like to receive the comments from the opposition. The dialogue that Mr. Tory, the Leader of the Opposition, and Mr. Kormos, the member from Niagara, are talking about is not the debates that happen here, but they do happen. I have the privilege of sitting on the public accounts committee. On that committee, behind closed doors, there is a lot of discussion and compromise. Thoughtful progress is made by all members of all parties, and we reach resolution on every issue—what we will put in the report from public accounts. Unfortunately, the citizens of the province don't see that. Unfortunately, the Leader of the Opposition, new to this place, probably has not yet seen how we function in those settings.

This summer, in an unprecedented fashion, on another frame, we had the emergency management legislation drafted by an all-party committee. For the first time ever, a committee was selected to draft substantive legislation, and we had some significant debates and dialogue amongst ourselves. We moved forward with a piece of legislation that we thought was reflective of the representations we had heard, and it was brought forward by members of committee.

So perhaps the dialogue and the phone calls that the Leader of the Opposition is wishing he would get don't happen in this Legislature. They didn't happen in the courtroom and they're unlikely to happen here. We can stop yelling, we can stop calling names, and that would really help in terms of the debate that happens in this Legislature, but the dialogue and the compromise and the very things that are being discussed, those things do happen in other parts of this building, in other aspects of what we do in this Legislature.

I also want to talk about many of the issues that have been raised with respect to committee hearings and recognize the fact that all major government legislation has received committee time. Bill 8 went to committee for 14 days, Bill 27 for eight days, Bill 31 for seven days, Bill 100 for nine days. So the history to get to this place where we did not see legislation go to committee in the past—we have broken that. Our government is committed to opening the Legislature to fuller debate and making sure that we have that substantive debate.

So I say, in closing, that I'm proud to be part of a government that has tried to change the way we do business in this Legislature since the last gasps of the Harris and Eves days. Dignity and decorum should be used with consistency and continuity, not when it's politically expedient. I guess that's what I would suggest to the Leader of the Opposition: Let's start to see some conduct that is dignified and represents the decorum that he speaks about. Certainly all of us would prefer to do business and represent our constituents in that type of forum.

**The Acting Speaker:** Before I call for further debate, there are a number of discussions going on. I have to say that in my four years here, this has been one of the better debates and I would like to hear it all, so I would ask that the other discussions, if you need to have them, take place outside, please.

I will recognize further debate.

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** I join John Tory's call for legislative conduct to reflect a high degree of professionalism and respect. Much has been lost in this Legislature over my 10 years because of what I consider a two-pronged strategy from across the way to trump debate, allowing, first, bitter invective and, more recently, silence to trump debate.

It was an eye-opener for me 10 years ago when I experienced first-hand the angry interruptions and invective that have become commonplace. For 10 years, I, like many, have used the earphone to hear what's going on. I don't listen to the French translation.

I have in my hands here Hansard from one of my first two-minute hits in October 1995, and Hansard records that I was harassed incessantly by the opposition's attempts to prevent me from speaking. Ten years later, just last week—again I have Hansard—I'm responding to a Minister of the Environment statement, during which the Minister of Agriculture felt it was his chance to attempt to shout me down; again, all duly recorded in Hansard.

So for 10 years now I've been witness to what I consider, in many cases, a Liberal-spawned degradation of this House that's lowered the level of debate to what I describe as screaming monkeys, creating semantic bedlam.

As Mr. Tory said, taking his seat for the first time in the Legislature, I believe there is a better way. He said it again this afternoon, and there is a better way. It includes respectful debate, it ensures that we do what we were elected to do, that we speak on behalf of our constituents and on behalf of our stakeholders. We can't do that in an atmosphere dominated by screaming monkeys, nor can we properly do that when this government utilizes its other tactic to trump debate, that being what I refer to as the Liberal conspiracy of silence.

Just yesterday, my PC colleagues fought for me to have a one-hour speech on Bill 164, and during last night's Bill 164 debate from 6:45 until midnight, not one government member rose to deliver a logical explanation of their own legislation. Five hours, and not one Liberal speech, not even from the Minister of Health, who was here briefly before his comments got the best of him.

If this government doesn't care about debating Bill 164, for example, why should the opposition? Why even call for debate? So my advice, based on 10 years as an MPP, to cabinet ministers is, stop heckling private members' debate. Get engaged. Speak up. Engage in respectful debate, and speak up.

**Mr. Richard Patten (Ottawa Centre):** First of all, I want to congratulate an opposition motion put forward. Usually, as you know, opposition motions are an attempt to embarrass the government. This one is in the interests of every single member here and the place in which we work and the environment in which we work and the respect we try to command in the public of Ontario.

I suggest that no party should point a finger at any other party, because I haven't seen one party in recent history that has elevated in any way the rights of any single individual member or the opposition. In fact, it's been the reverse, and I'll say this to my friends across the way: The last time it happened, when there were real changes by the Harris government, I was truly depressed personally as a member.

We carry on with the same rules now, and I know there have been some attempts by the House leader to open up things and do things in a different way. In my opinion, the rules inhibit. They have favoured the government to be more expedient in the passage of its legislation, and so the balance is not there. That fosters the kind of behaviour, in my opinion, that it gets. So

when an opposition member feels they haven't got the time, or they can be cut off, or time allocation's employed—although I don't think that has been done too often recently—I'd just say, then silly things happen and tomfoolery takes place.

**1710**

I would like to make a few suggestions. First of all, we talk about electoral change and about electoral financial change. The last bastion of change we have is legislative change, the rules that govern the way in which we relate to each other and proceed in this House. We are one of the worst—I'd say the worst—in all of the Legislatures of Canada, including the federal government. We're actually the worst. I'm embarrassed sometimes when I see some of the youngsters up there looking at us starry-eyed. We are political leaders and models for this society, and it's pure embarrassment. The first thing they say to their teachers when the teacher asks them, "What was significant about your observation?" is, "Gee, we could never act like that in our classroom."

I think we all have a responsibility to participate and make a contribution. I'd like to suggest that there be an all-party committee of this House that takes a look at some of the rules. Some of the things I would suggest they look at include the role of the Speaker; private members' bills should be called for third reading if they pass second reading, and be afforded the required committee review; and committees should be able to initiate up to two bills per session, not necessarily that they have to, but that they could.

Question period could be more effective and enlightening with less preamble to questions, and possible groupings of ministers for questions, as takes place at Westminster. That should be explored. There should be a standing committee on how rules and procedures govern the Legislature itself; consideration of bills be done prior to first reading, in consultation, and more outside of Toronto because this is the government of Ontario, although I wonder sometimes if it isn't the government of Toronto. I'll pay for that comment.

There should be a one-minute rebuttal for ministers to come back. I was in opposition and you can say whatever the hell you want to whatever is said in ministerial statements. Let's give the minister one minute to respond. I think opposition reactions would be more accountable and we'd be more responsible, knowing the minister can come back and say, "That's not particularly the way it is; here's what would happen," one thing or another. That's something to consider.

There should be an expansion of the two-minute response during debate to three minutes. With respect to tabling reports in the Legislature, there should be an opportunity for comment by the person presenting the report, with a couple of minutes for the opposition to comment on their experience related to the writing and drafting of that report.

I would like to see a special committee formed to study and recommend changes to the government, and I would like to see our government respond favourably to that. I know it's doing that in other areas of government.



I say this as a member who has been here 13 years, a place in which, Mr. Caplan, I feel that sometimes we don't listen very well to each other—right here. Isn't it ironic that on a day in which we talk about our work together—

**The Acting Speaker:** I was going to take the member's point as a point well taken. I think perhaps the minister should be listening to the debate and I would ask him to do so.

Further debate?

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Let me just give the minister a moment to rush back to his seat.

Where do you begin on this? There are so many items I could be touching on, but I was quite taken—honestly, I don't want it to appear that I'm a fan—by some of the things the member from Niagara Centre had to say in his long address today. I think he touched on some very salient points. One of the things that I see—

**The Acting Speaker:** Honourable member, excuse me. I would ask the minister, please, you've been requested by me and by other members here. This is a serious debate. You've been standing there for a long time. Thank you.

Please continue.

**Mr. Yakabuski:** One of the things is that I don't have a previous record to this House that I sit in today. I noticed that when the Minister of Tourism talked, he laid a lot of the blame on the previous government. I'm not going to comment on that, but I certainly will comment on what the member for Lanark–Carleton said, that we have to move forward. I think the government has to take a leading role in that respect.

What I've observed here—and I was quite surprised, quite honestly—when I participate in a question period is the dismissive attitude that the government has toward opposition questions. They're not really interested in answering them. There is a spin that goes on, and I do understand that, because some things they're not in a position to answer directly at that time and they may be working on some responses, or they're working on the development of a policy to deal with that particular question. But it's the dismissive attitude, the chortling, looking at the lack of respect to the opposition's question, sometimes to the point where, you know, "Do they not have any idea what they're doing over there?" Well, if it's important to the opposition, I think it should be important to the government to at least give time to that. The member from Niagara Centre spoke about that. There is no question that question period should belong to the opposition. He's quite right when he says that we listen to at least 15 to 17 minutes a day, I believe, of questions being lobbed at the government from the government side to their ministers, which are, quite frankly, an absolute waste of time of this chamber. I think the public would agree that we can be far more productive in this.

Now, Speaker, you and I had the opportunity to visit the assembly in Quebec, and it was so different. As a

matter of fact, the Speaker, monsieur le Président of the National Assembly in Quebec, never once had to leave his chair during question period—not once. Question period is only 45 minutes there, not 60 minutes as in here, but far more productive, because the Speaker never had to leave his chair, not a single time. As a matter of fact, the most he ever got to was to raise one cheek out of the chair and everything stopped. That's as close as he got to getting out of the chair, because there was a great respect for the Speaker in that chamber and also a respect on both sides of the House for the decorum that they would adhere to. There was no heckling on either side. Questions were asked. I'm not saying questions were answered, quite frankly, because it's all in French and I couldn't understand it anyway, but there was certainly at least civility in the debate or the period at that time.

I don't have a whole lot of time. We could go on about this all day, and I do want to respect the rights of other members of our caucus to talk about this, but there is a lot of work to be done, and I'm willing to do my part. You know, I do enjoy heckling. I do believe that sometimes it's important, but we would all forgo that privilege if this place started to work better. But I do believe it starts on the government side.

**Ms. Caroline Di Cocco (Sarnia–Lambton):** I'm pleased to rise on this discussion. I don't think that anyone in this House—and I agree with the member from Ottawa that we should not be pointing fingers at all, because it's the pointing of fingers that is the culture of this place that creates the animosity that reduces the decorum. By the way, this has been noted as being the most raucous House in Canada, if not in the parliamentary world.

I was in opposition. I was here in opposition, and they were not good days to be in opposition. The restrictions and the changes in the standing orders were specifically employed to stop debate. I guess the respect that we owe one another in this place is not conducive when you have whoever is in power trying to stop the opposition from maintaining its role to hold the government to account. On the other hand, contempt for this Legislature was probably brought to its height when the budget was removed from this place. That was, in my humble opinion, contempt that was shown here in a way that had never been shown before, because this place is about conventions. We're in a fishbowl here. This is where the public sees us in action. And we can either portray that we are professionals, that we are here in the public interest—all of us, because each one of us is responsible for how we behave in this House. It is not the government; it is not the opposition. Each one of us is responsible.

1720

When I was doing some initial work on looking at the Legislature, one of the things that somebody told me was that this place is like the arena when one plays hockey. There are those who say that violence in hockey is not acceptable. Then there are others who say, "But that's part of the game. If you don't do that, then you don't

have a good hockey game.” That’s the same mentality, because it’s not about just the standing orders, it’s about the culture of this place, and the culture that has evolved is one of a combative nature.

The best assembly I saw was in Wales, and a number of members were here. I have to say that in Wales there was congeniality; there was civility in that place. I don’t know if it had anything to do with this, but 50% of the members were women. I would suggest, and I’m not saying that’s the only reason, that that might lend to maybe a different environment, a different atmosphere. How do we change culture, how do we change attitudes, when all we do in this House is try to point fingers at the other side? That’s the only way we seem to debate here. It’s not about the issues. I would suggest that if anybody was here last night and listened to some of the rhetoric in this place, it was appalling.

**Mr. Robert W. Runciman (Leeds–Grenville):** You should listen to yourself.

**Ms. Di Cocco:** And this is what happens. We cannot discuss things because we have to do the one-upmanship.

I would suggest that none of us should be pointing fingers, that each one of us should take a look at ourselves and how we conduct ourselves day to day when we speak. This place creates an atmosphere where we have a great deal of passion about the things we believe in. That’s why we’re here, to protect the public interest.

I am pleased to be part of a government that has got the Democratic Renewal Secretariat with the intent that, as we move forward, we do bring more bills to committees. It’s not perfect, but more of our bills are at committees. We do not bring closure in our debate as often. That’s a little bit better. It’s not perfect; there’s still a long way to go. But still we wear the white hats and the black hats. In other words, from that side, anything we say here is wrong. That’s the attitude. We don’t change attitudes by rules. To change attitudes, there has to be a culture shift that takes place in this House.

This motion, at least today, has brought this discussion to bear, but I would suggest that the actions are what count. It’s not just the motion but it’s the actions that count long-term.

**Mr. Runciman:** I have very little time. I want to say, from what I have heard of the government members’ contributions here today, it’s regrettable that they seem to think that this resolution is somehow, in any way, shape or form, an attack on the current government. I want to assure them that that is not the intention of our leader, Mr. Tory. He comes in here clearly dedicated to making his best efforts and the best efforts of our party in this place to improve the operations of the assembly and its institutions. So I think it’s regrettable. Not all members opposite have taken that slant, but certainly I just heard it earlier.

The member mentions about having a greater dominance of women in the Legislature, and I think we would all want to see that happen. But that is no guarantee of peace and stability. I happened to sit in this place when Sheila Copps was a member, and I can assure all mem-

bers that Ms. Copps was certainly vocal and aggressive in terms of making sure that you knew her perspective on any given issue.

I’m into my 25th year here, and all parties have to share some degree of responsibility with respect to rule changes which have, I think, diminished the role of backbenchers, diminished the importance of this place, diminished the importance of question period. We all have to share responsibility, and we should all make a commitment to ensure that change occurs in the future to improve the operations of this place and to, I think, send out the proper messages to Ontarians that this is a place where we are here to do the people’s business and not to be attacking each other on a regular basis.

I think part of the problem—I may be wrong on this, but I was here when the Peterson government brought in television, and I think to some degree that has contributed to what happens in this place in terms of the overacting and the reactions of members on all sides of the House. We can’t go back on that. I don’t think we’re going to see that change. But I think it was a contributing factor. How much of a contributing factor, I really don’t know. It has happened at the federal level and in virtually all Legislative Assemblies across the province.

When we talk about changing culture and attitudes, I think that’s a difficult challenge. We have to try and accept that as individual caucuses and as individual members. But I think a great deal of responsibility, and I’m not trying to be critical here, has to fall on you, Mr. Speaker, the individual sitting in the chair, in ensuring that this place operates with some degree of flexibility, understandably within the rules developed in the standing orders and the rules of procedure. That is a very significant responsibility that you and your colleagues carry on your shoulders, and I think to some degree we have not seen that responsibility exercised to the degree that a lot of us would like to see it exercised over the past number of years.

In my time, I think the most impressive Speaker in this place was Hugh Edgihoffer, a Liberal, a genuine gentleman, a great sense of humour, someone who understood the rules of this place and exercised his authority with great dexterity and won the respect of all sides of this place. Regrettably, we haven’t seen that same kind of performance. I don’t want this to be construed as criticism, but it’s a genuine regret on my part. Hopefully in the future, Mr. Speaker, we can look toward people like Speaker Edgihoffer.

*Interjection.*

**Mr. Runciman:** I hear Speaker Stokes as well. Even though he raised the ire of some of his colleagues in the NDP, he did the job he was supposed to do. Anyone sitting in that chair, with the significant responsibilities that that carries with it, I think—I’m throwing that other additional responsibility on them, to ensure that in the future, you can do, Mr. Speaker, and your colleagues can do, a great deal to improve the atmosphere and the environment in this place.

**Ms. Kathleen O. Wynne (Don Valley West):** I’m happy to join this debate in this very quiet House today. I



have to comment that it's very quiet today, so everyone is on their best behaviour, I take it.

I want to say off the top that I absolutely support this motion. I support civility. I support the idea that we would have real discussion, that members would be accountable for what they say, that we would not engage in hollow rhetoric and we would be civil with each other. I absolutely support that. The comments by the Minister of Tourism, the member for Ottawa Centre, the member for Niagara Centre—I think we have to pay close attention to the folks who have been here for a long time, understand how the rules work and understand how the rules have changed.

One of the reasons I'm here at all is that as a private citizen watching what was going on in Ontario, spending a fair bit of time in the galleries here, I saw that there seemed to be a change in the rules and in the way the public could engage with this Legislature and could engage in policy-making. That's one of the reasons that I decided I would run for office, because of the changes that had taken place over the last decade. So I'm very happy to be part of a government that's interested in more public input into public policy and is interested in being open to some of the kinds of changes that Mr. Tory is talking about and certainly would be willing to be part of that discussion.

But I think we have to be very careful. I say somewhat facetiously that the House is quiet today. I think we have to be very careful not to mistake polite behaviour for debate with integrity. I think we can be polite, but we can also be impassioned.

1730  
When I listen to the member for Trinity–Spadina sometimes, when someone is speaking and he is making comments, I'm reminded of nothing so much as a Greek chorus. In fact, if this is a morality play, then the Greek chorus is there to give us some feedback and to create some energy. There is nothing wrong. I would say to you and to the people of Ontario, with politicians in this place having strong opinions, having strong feelings and not divorcing the two. We were elected as politicians to bring those to this place, not to belittle individuals, not to be derogatory, not to put people down in a personal way, but to bring our integrated selves to this place. Without that, if we divorce our emotions and our passion from our decision-making processes, we will make bad decisions. I believe that in many, many cases governments have made bad decisions because only the intellect has been engaged; the spirit and the heart and the passion have not been engaged. So let's not mistake quiet and politeness for good decision-making.

I am not advocating raucousness, although I was one of those kids, who, when I was in school, often did speak out at the back of the class. I know that will be taken with great surprise by my colleagues. Mr. Runciman's comment, when he was talking about a previous member in this House, Sheila Copps, that certainly she was vocal, aggressive and clear in her stances, sounded like a criticism to me. I think often when we talk about—and I will

say particularly women; we're not supposed to be aggressive, we're not supposed to be strong and we're not supposed to be really clear about where we stand. I completely reject that characterization. I reject that. I think it is our job. We are elected because we are passionate community people who understand issues and bring those positions to the House, and I'm not willing to give that up.

Having said that, I'm looking forward to the changes that we can bring to this place to make it a more meaningful debate, and I know we will have good advice on that. Thank you, Mr. Tory, for bringing the motion.

**Mr. Ted Arnott (Waterloo–Wellington):** It's an honour this afternoon to have a chance to speak briefly in support of this motion brought forward by the Leader of the Opposition, the member for Dufferin–Peel–Wellington–Grey, on the issue of decorum in this place.

All of the members are aware that one of my responsibilities in this House is my role as the First Deputy Chair of the committee of the whole House. In English, this means that I serve as one of the assistant Speakers, usually on Tuesday afternoons. When I'm in the chair, it's my job to attempt to maintain order in the House and preside fairly and impartially. I want to thank members for their co-operation while I'm in the chair, and especially our table staff, without whom I couldn't do my job.

But I speak today not as a presiding officer of the House, but as a member who even after almost 15 years here remains in awe of this place, its customs, its traditions, its history, in awe even of some of the outstanding parliamentarians whose years of service have overlapped my own. I think of people like Bob Nixon, Ian Scott and Sean Conway; Bob Rae, Frances Lankin and Ruth Grier; and in our own party people I've admired like Bill Saunderson, Margaret Marland and Leo Jordan, who was here earlier this afternoon.

What did these MPPs share as common traits? Some were outstanding orators, some were blessed with towering intellect and ability, some had an outstanding record of achievement before coming here; others made their most significant mark on Ontario society after they walked through those ornate doors at the north end of our chamber. But one thing every one had in common was a sense of the paramount importance of our responsibilities and respect for this institution. When I say they respected this institution, I don't mean our treasured Legislative Building; I mean the provincial Parliament itself, the members of provincial Parliament as a collective and as individuals, each of us privileged to be here by virtue of a democratic, free and fair election.

Which of us here wouldn't be flattered to be favourably compared to any one of the former MPPs I've mentioned? I ask all of the members present now in the chamber: Would you want it to be said that you respect this institution and that you comport yourself with dignity and class during debates in this House? Alternatively, would you want it to be said that you were one of the members whose behaviour was so bad and found to be so lacking, even by the schoolchildren who come

here every day to observe the proceedings of our provincial Parliament? Surely each of us would want to be associated with the former group, not the latter. This is good news. In this Legislature, it seems to be getting better; marginally better, but better nonetheless.

I believe it began to improve noticeably after the by-election on March 17. Having represented the Wellington part of our leader's current riding from 1990 to 1999, I had the chance to spend a fair amount of time campaigning with him as he sought the right to take his seat as the Leader of the Opposition. One night during that campaign, I was driving our leader from Arthur to Mount Forest so that we could meet some more voters before stopping for the night. We talked about how elected members of Parliament and provincial Parliament had once been admired community leaders and now are seen by many as nothing but self-serving politicians, motivated only by the pursuit of power and perks. We talked about how the public perceives the behaviour of MPs and MPPs to be, at times, less than exemplary. He said to me that if he was elected, he wanted to change that; he wanted to do what he could to restore a sense of honour and decorum to this place and, in a broader sense, move toward earning again the respect and admiration of the electorate, which, regrettably, has been on the decline in recent years. The member for Dufferin-Peel-Wellington-Grey was sincere about this on that winter night on Highway 6 in Arthur township, and he's sincere about it today. For that reason, he deserves credit and support for this motion from all members of this House.

**Hon. Christopher Bentley (Minister of Labour):** I join this debate and this resolution in the spirit in which I understand it was intended, and that is that the debate within this House, the debate on the issues, should reflect the values of all Ontarians and the heart of those values: professionalism and respect. I make these observations not in any partisan manner, because this, quite clearly, is not a partisan issue. I join all those who have called upon this debate to be about values and not about partisanship. Elevating the debate, in my respectful submission, requires one essential foundation, and that is that every member have respect for the professional integrity of their fellow members. The heart of one's professional integrity is one's honour and personal integrity.

I came from a different professional milieu. I came from a courtroom. A courtroom is not a place for quiet discussion. It is a place of passion; it is a place of serious issue; it is a place where you can exchange, in the most direct way, serious issues that can affect one's life and liberty. But you must do so in a respectful way. I have said many times that the difference between this place and the courtroom is that in this place you can say anything about the professional integrity of an individual—you can impugn it, you can undermine it, you can strike it to its core—as long as you're prepared to stand up and say, "I withdraw." That's something that would never happen in a courtroom. The other thing, of course, is that in this place, what you say doesn't have to have a tangential connection to reality, which is a little different from a courtroom as well.

It is professional integrity which is the foundation for elevating the debate. Unless and until every member's debate respects the professional integrity and the honour of every fellow member, then we will never elevate the debate in this place. What do I mean by professional integrity? Of course, the L word is part of it. Striking another member's honesty is really striking their very being. When we leave whatever place we're at, whatever titles we hold, whatever degrees we have, whatever privileges we have, we have nothing without our honour, our integrity and our honesty. Using the L word, much like drawing a glass of water from the tap, strikes at the very heart of that, and yet it is done with regularity in this place; again, I say, not a partisan observation. It is done under cover of the immunity granted by this place—an immunity that exists to encourage the discussion of serious issues, an immunity which I believe exists to encourage debate, to encourage open discourse, but which appears from my brief observation to encourage nothing more and nothing less than the constant impugning and undermining of honesty, of integrity and of the very professional soul of members. It encourages this because everyone knows that as long as you withdraw it, there is no effective sanction. You can say in this House what you could never say outside the doors, because if you said it outside the doors, every private citizen has the right to take the recourse that the courts provide. But in here you can say it on television, you can get it reported, and it's covered by immunity.

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That fact is for me one of the most significant reasons that the debate has not been elevated in this House beyond what it is. I don't know what the solution is, and I suspect it is not about rules, regulations or undermining the immunity and the privilege that it grants us all to discuss serious issues in an open way. I suspect it is more about the professional approach we all bring to the debate of serious issues. I suspect that we could change the tone and tenor of the debate overnight without any change of rules. I suspect we could elevate the serious discussions in a heartbeat without any change of rules. But I am concerned that that will never happen unless and until we all decide that we can debate principle without personality and debate the substance without undermining an individual's integrity. We can all do that, and when we do it, we will elevate the debate. When we do it, we will truly reflect the values of all Ontarians, which, after all, is the reason we're here: to reflect the values of all Ontarians and to make their society a better place.

I suspect everyone will join in supporting the spirit of this motion, as will I. I suspect the challenge for us all is to reach that better place and to ensure that our debate is about the heart of the issue, the substance of the issue—the reason we were sent here—and not about personality and personal attacks on integrity. For those reasons, I will be supporting the motion brought by the Leader of the Opposition.

**Mr. John O'Toole (Durham):** First, it's an honour and a privilege to represent the people of the riding of Durham.



This motion by our leader, John Tory, is a fine time for each of us to stop and reflect. Let he who is not guilty throw the first stone. I am humbled, and I admit that I have often and even many times crossed the line, and I put on the record my apology.

Looking forward, I commit today to stop and attempt to listen, learn and improve. Ideals of respect and civility will remain with me, and I commit to work hard to improve, as each of us should, not just for myself, but for the people I serve and, indeed, we all serve. It's my privilege to serve in a wonderful place, and this motion by our leader, John Tory, is a time for each of us to stop, reflect and move forward.

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm very pleased to join this debate today based on the motion that has been put forward by our leader, John Tory. I want to congratulate our leader for putting this motion forward. I want to also compliment him on the efforts he has made since becoming a member of provincial Parliament in doing everything he can to change the tenor and decorum and civility in the House.

I've been here now for 15 years, and I have certainly seen this House go through different periods of time when people have behaved differently. But I can tell you that in recent months, since Mr. Tory has joined the Legislature as an MPP, I believe he has had a very, very positive impact. I see the tone and the tenor changing. I think all 103 members of this House are making a very conscientious effort to make sure that the behaviour of each and every one of us is consistent with the behaviour that our constituents in our ridings would expect of us.

I know myself that the residents in Kitchener–Waterloo expect me to come here and treat my colleagues with respect. They would expect that when I

ask a question my question would be responded to with the same respect with which I asked my question. They look at us, obviously, as role models.

At times I've been embarrassed personally because of the behaviour in this House when we've had school-children in the audience. I've subsequently received letters from teachers and from parents who were there with classes, who have expressed their personal disappointment at our behaviour. So I think what we are endeavouring to do today is important. It appears that all members of this House are equally committed to seeing a change in the behaviour and the decorum. I want to compliment everyone who has spoken to this bill today. I hope we can go forward and that we will see the change that is being asked for.

**The Acting Speaker:** Further debate? Seeing none, Mr. Tory has moved:

That the Legislative Assembly calls upon the government,

To conduct legislative proceedings in a way that reflects the values of all Ontarians, such that all members of the Legislature conduct themselves with the highest degree of professionalism and respect for their fellow members;

And, that the government recognize and respect the legitimate role of the opposition parties, all means of ensuring government accountability, and the importance of meaningful public consultation when formulating public policy.

Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 10 a.m. tomorrow.

*The House adjourned at 1748.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Constituency<br>Circonscription                           | Member/Party<br>Député(e) / Parti   | Constituency<br>Circonscription                    | Member/Party<br>Député(e) / Parti   |
|---|---|--|---|
| Algoma-Manitoulin   | Brown, Michael A. (L)   | Hamilton East /<br>Hamilton-Est                    | Horwath, Andrea (ND)  |
| Ancaster-Dundas-<br>Flamborough-Aldershot                 | McMeekin, Ted (L)   | Hamilton Mountain                                  | <b>Bountrogianni, Hon. / L'hon. Marie (L)</b><br>Minister of Children and Youth Services,<br>Minister of Citizenship and Immigration /<br>ministre des Services à l'enfance et à la<br>jeunesse, ministre des Affaires civiles et<br>de l'Immigration |
| Barrie-Simcoe-Bradford                                    | <b>Tascona, Joseph N. (PC)</b> First Deputy<br>Chair of the Committee of the Whole<br>House / Premier Vice-Président du Comité<br>plénier de l'Assemblée législative                                      |  |   |
| Beaches-East York /<br>Beaches-York-Est                   | Prue, Michael (ND)  | Hamilton West /<br>Hamilton-Ouest                  | Marsales, Judy (L)  |
| Bramalea-Gore-Malton-<br>Springdale                       | Kular, Kuldip (L)   | Hastings-Frontenac-Lennox and<br>Addington         | <b>Dombrowsky, Hon. / L'hon. Leona (L)</b><br>Minister of the Environment /<br>ministre de l'Environnement  |
| Brampton Centre /<br>Brampton-Centre                      | Jeffrey, Linda (L)  | Huron-Bruce  | Mitchell, Carol (L)   |
| Brampton West-Mississauga /<br>Brampton-Ouest-Mississauga | Dhillon, Vic (L)  | Kenora-Rainy River                                 | Hampton, Howard (ND) Leader of<br>the New Democratic Party / chef du<br>Nouveau Parti démocratique  |
| Brant   | Levac, Dave (L)   | Kingston and the Islands /<br>Kingston et les îles | <b>Gerretsen, Hon. / L'hon. John (L)</b><br>Minister of Municipal Affairs and<br>Housing, minister responsible for seniors /<br>ministre des Affaires municipales et du<br>Logement, ministre délégué aux Affaires<br>des personnes âgées             |
| Bruce-Grey-Owen Sound                                     | Murdoch, Bill (PC)  | Kitchener Centre /<br>Kitchener-Centre             | Milloy, John (L)  |
| Burlington  | Jackson, Cameron (PC)   | Kitchener-Waterloo                                 | Witmer, Elizabeth (PC)  |
| Cambridge   | Martiniuk, Gerry (PC)   | Lambton-Kent-Middlesex                             | Van Bommel, Maria (L)   |
| Chatham-Kent Essex  | Hoy, Pat (L)  | Lanark-Carleton                                    | Sterling, Norman W. (PC)  |
| Davenport   | Ruprecht, Tony (L)  | Leeds-Grenville                                    | Runciman, Robert W. (PC)  |
| Don Valley East /<br>Don Valley-Est                       | <b>Caplan, Hon. / L'hon. David (L)</b><br>Minister of Public Infrastructure Renewal,<br>Deputy House Leader / ministre du<br>Renouvellement de l'infrastructure<br>publique, leader parlementaire adjoint | London North Centre /<br>London-Centre-Nord        | Matthews, Deborah (L)   |
| Don Valley West /<br>Don Valley-Ouest                     | Wynne, Kathleen O. (L)  | London West /<br>London-Ouest                      | <b>Bentley, Hon. / L'hon. Christopher (L)</b><br>Minister of Labour / ministre du Travail   |
| Dufferin-Peel-<br>Wellington-Grey                         | Tory, John (PC) Leader of the Opposition /<br>chef de l'opposition  | London-Fanshawe                                    | Ramal, Khalil (L)   |
| Durham  | O'Toole, John (PC)  | Markham  | Wong, Tony C. (L)   |
| Eglinton-Lawrence   | Colle, Mike (L)   | Mississauga Centre /<br>Mississauga-Centre         | <b>Takhar, Hon. / L'hon. Harinder S. (L)</b><br>Minister of Transportation /<br>ministre des Transports   |
| Elgin-Middlesex-London                                    | <b>Peters, Hon. / L'hon. Steve (L)</b><br>Minister of Agriculture and Food /<br>ministre de l'Agriculture et de<br>l'Alimentation   | Mississauga East /<br>Mississauga-Est              | Fonseca, Peter (L)  |
| Erie-Lincoln<br>Essex                                     | Hudak, Tim (PC)   | Mississauga South /<br>Mississauga-Sud             | Peterson, Tim (L)   |
|   | <b>Crozier, Bruce (L)</b> Deputy Speaker, Chair<br>of the Committee of the Whole House /<br>Vice-Président, Président du Comité<br>plénier de l'Assemblée législative                                     | Mississauga West /<br>Mississauga-Ouest            | Delaney, Bob (L)  |
|   | Cansfield, Donna H. (L)   | Nepean-Carleton                                    | Baird, John R. (PC)   |
| Etobicoke Centre /<br>Etobicoke-Centre                    |   | Niagara Centre /<br>Niagara-Centre                 | Kormos, Peter (ND)  |
| Etobicoke North /<br>Etobicoke-Nord                       | Qaadri, Shafiq (L)  | Niagara Falls                                      | Craitor, Kim (L)  |
| Etobicoke-Lakeshore                                       | Broten, Laurel C. (L)   | Nickel Belt  | Martel, Shelley (ND)  |
| Glengarry-Prescott-Russell                                | Lalonde, Jean-Marc (L)  | Nipissing  | Smith, Monique M. (L)   |
| Guelph-Wellington   | Sandals, Liz (L)  | Northumberland                                     | Rinaldi, Lou (L)  |
| Haldimand-Norfolk-Brant                                   | Barrett, Toby (PC)  | Oak Ridges   | Klees, Frank (PC)   |
| Haliburton-Victoria-Brock                                 | Scott, Laurie (PC)  |  |   |
| Halton  | Chudleigh, Ted (PC)   |  |   |



| Constituency<br>Circonscription                  | Member/Party<br>Député(e) / Parti  | Constituency<br>Circonscription                               | Member/Party<br>Député(e) / Parti   |
|--|--|---|---|
| Oakville   | Flynn, Kevin Daniel (L)  | Stormont–Dundas–<br>Charlottenburgh                           | Brownell, Jim (L)   |
| Oshawa   | Ouellette, Jerry J. (PC)   | Sudbury   | <b>Bartolucci, Hon. / L'hon. Rick</b> (L)<br>Minister of Northern Development and<br>Mines / ministre du Développement du<br>Nord et des Mines  |
| Ottawa Centre /<br>Ottawa-Centre                 | Patten, Richard (L)  | Thornhill   | Racco, Mario G. (L)   |
| Ottawa South /<br>Ottawa-Sud                     | <b>McGuinty, Hon. / L'hon. Dalton</b> (L)<br>Premier and President of the Executive<br>Council, Minister of Intergovernmental<br>Affairs / premier ministre et président du<br>Conseil exécutif, ministre des Affaires<br>intergouvernementales                                  | Thunder Bay–Atikokan  | Mauro, Bill (L)   |
| Ottawa West–Nepean /<br>Ottawa-Ouest–Nepean      | <b>Watson, Hon. / L'hon. Jim</b> (L)<br>Minister of Consumer and Business<br>Services / ministre des Services aux<br>consommateurs et aux entreprises  | Thunder Bay–Superior<br>North / Thunder Bay–Superior-<br>Nord | Gravelle, Michael (L)   |
| Ottawa–Orléans                                   | McNeely, Phil (L)  | Timiskaming–Cochrane  | <b>Ramsay, Hon. / L'hon. David</b> (L)<br>Minister of Natural Resources /<br>ministre des Richesses naturelles  |
| Ottawa–Vanier                                    | <b>Meilleur, Hon. / L'hon. Madeleine</b> (L)<br>Minister of Culture, minister responsible<br>for francophone affairs / ministre de la<br>Culture, ministre déléguée aux Affaires<br>francophones   | Timmins–James Bay /<br>Timmins–Baie James                     | Bisson, Gilles (ND)   |
| Oxford   | Hardeman, Ernie (PC)   | Toronto Centre–Rosedale /<br>Toronto-Centre–Rosedale          | <b>Smitherman, Hon. / L'hon. George</b> (L)<br>Minister of Health and Long-Term Care /<br>ministre de la Santé et des Soins de longue<br>durée  |
| Parkdale–High Park                               | <b>Kennedy, Hon. / L'hon. Gerard</b> (L)<br>Minister of Education /<br>ministre de l'Éducation   | Toronto–Danforth  | Churley, Marilyn (ND)   |
| Parry Sound–Muskoka                              | Miller, Norm (PC)  | Trinity–Spadina   | Marchese, Rosario (ND)  |
| Perth–Middlesex                                  | Wilkinson, John (L)  | Vaughan–King–Aurora   | <b>Sorbara, Hon. / L'hon. Greg</b> (L)<br>Minister of Finance /<br>ministre des Finances  |
| Peterborough                                     | Leal, Jeff (L)   | Waterloo–Wellington   | <b>Arnott, Ted</b> (PC) First Deputy Chair of<br>the Committee of the Whole House /<br>Premier Vice-Président du Comité plénier<br>de l'Assemblée législative   |
| Pickering–Ajax–Uxbridge                          | Arthurs, Wayne (L)   | Whitby–Ajax   | Flaherty, Jim (PC)  |
| Prince Edward–Hastings                           | Parsons, Ernie (L)   | Willowdale  | Zimmer, David (L)   |
| Renfrew–Nipissing–Pembroke                       | Yakabuski, John (PC)   | Windsor West /<br>Windsor-Ouest                               | <b>Pupatello, Hon. / L'hon. Sandra</b> (L)<br>Minister of Community and Social<br>Services, minister responsible for women's<br>issues / ministre des Services sociaux et<br>communautaires, ministre déléguée à la<br>Condition féminine |
| Sarnia–Lambton                                   | Di Cocco, Caroline (L)   | Windsor–St. Clair   | <b>Duncan, Hon. / L'hon. Dwight</b> (L)<br>Minister of Energy, Chair of Cabinet,<br>Government House Leader / ministre de<br>l'Énergie, président du Conseil des<br>ministres, leader parlementaire du<br>gouvernement                    |
| Sault Ste. Marie                                 | Oraziotti, David (L)   | York Centre /<br>York-Centre                                  | <b>Kwinter, Hon. / L'hon. Monte</b> (L)<br>Minister of Community Safety and<br>Correctional Services / ministre de la<br>Sécurité communautaire et des Services<br>correctionnels   |
| Scarborough Centre /<br>Scarborough-Centre       | Duguid, Brad (L)   | York North / York-Nord  | Munro, Julia (PC)   |
| Scarborough East /<br>Scarborough-Est            | <b>Chambers, Hon. / L'hon. Mary Anne V.</b><br>(L) Minister of Training, Colleges and<br>Universities / ministre de la Formation et<br>des Collèges et Universités   | York South–Weston /<br>York-Sud–Weston                        | <b>Cordiano, Hon. / L'hon. Joseph</b> (L)<br>Minister of Economic Development and<br>Trade / ministre du Développement<br>économique et du Commerce   |
| Scarborough Southwest /<br>Scarborough-Sud-Ouest | Berardinetti, Lorenzo (L)  | York West / York-Ouest  | Sergio, Mario (L)   |
| Scarborough–Agincourt                            | <b>Phillips, Hon. / L'hon. Gerry</b> (L)<br>Chair of the Management Board of Cabinet<br>/ président du Conseil de gestion du<br>gouvernement   |   |   |
| Scarborough–Rouge River                          | <b>Curling, Hon. / L'hon. Alvin</b> (L)<br>Speaker / Président   |   |   |
| Simcoe North /<br>Simcoe-Nord                    | Dunlop, Garfield (PC)  |   |   |
| Simcoe–Grey                                      | Wilson, Jim (PC)   |   |   |
| St. Catharines                                   | <b>Bradley, Hon. / L'hon. James J.</b> (L)<br>Minister of Tourism and Recreation /<br>ministre du Tourisme et des Loisirs  |   |   |
| St. Paul's                                       | <b>Bryant, Hon. / L'hon. Michael</b> (L)<br>Attorney General, minister responsible for<br>native affairs, minister responsible for<br>democratic renewal / procureur général,<br>ministre délégué aux Affaires autochtones,<br>ministre responsable du Renouveau<br>démocratique |   |   |
| Stoney Creek                                     | Mossop, Jennifer F. (L)  |   |   |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 2 June 2005

Jeudi 2 juin 2005



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 2 June 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 2 juin 2005

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### MISSING PERSONS REPORTING ACT, 2005

### LOI DE 2005 SUR LE SIGNALLEMENT DES PERSONNES DISPARUES

Mr. Racco moved second reading of the following bill:

Bill 198, An Act to amend various Acts in respect of the reporting of missing persons from care facilities / *Projet de loi 198, Loi modifiant diverses lois à l'égard du signalement des personnes disparues d'établissements de soins.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Racco, you have up to 10 minutes.

**Mr. Mario G. Racco (Thornhill):** I stand before the House today to briefly outline Bill 198, a bill that amends the Charitable Institutions Act, the Developmental Services Act, the Homes for the Aged and Rest Homes Act and the Nursing Homes Act to ensure that police are immediately notified when a resident of a care facility operated under one of those acts goes missing.

Ontarians make difficult decisions every day. Some of these decisions involve placing their aged or ill parents into homes of the aged or nursing homes. Some have to decide whether or not to place their disabled children into a government-regulated facility. These are very difficult decisions which weigh heavily on family members. We as a government have a responsibility to ensure that those most vulnerable people in our society are secure in the place that they call home.

Our government has taken strides in the right direction in updating the Amber Alert when children go missing. We now need to upgrade our procedures when our vulnerable adult citizens go missing from care facilities as well.

In speaking to Chief Armand La Barge of the York Regional Police, he advised of the importance of notifying their agency forthwith in these circumstances, as it would only aid his officers, as time is a very sensitive matter when dealing with missing persons. Chief La Barge suggested that there be a lawful requirement for

registered seniors' homes or facilities and registered licensed group homes to report missing persons forthwith to the police, as soon as an absence is noticed. The reason for this would be to reduce the time to locate missing persons, to protect them from injury or death.

As I heard about some of the occurrences that have taken place over the last year involving adults wandering away from care facilities, I wondered what procedures were in place for the administration to follow. What I learned was that homes were required to comply with ministry standards, policies, criteria, legislation and regulations which state, "Report missing residents as it poses an immediate risk by means of unusual occurrences to the ministry compliance adviser that is responsible for each home." What, I thought, is an unusual circumstance? A missing person, to me, would be an unusual circumstance. The term "unusual occurrences" allows for a very large margin for the compliance adviser to work with—too large a margin. It does not on all occasions include circumstances which may be unusual to one patient and not to another.

A person wandering away, I believe, should be reported on all occasions so the police and the compliance adviser can have information that would lead them to believe which patients have a tendency to wander. This also leaves a tremendous amount of responsibility on the compliance adviser, as well as staff of the facility, to determine when and if police should be notified, as patients who suffer from a series of different illnesses can be unpredictable and can wander off even though they were not deemed to be wanderers. Having in place legislation making it mandatory for police to be notified, I believe, would benefit homes, as it will relieve staff from making a decision which could mean life or death for missing persons.

I found it very disturbing when I discovered all the administrative steps taken before police were called in, the timing of reporting an incident to police if the occurrence poses an immediate risk to residents: The reporting must occur by telephone by the next day, followed by a written report. The telephone and written report are to indicate an occurrence, what the home is doing to locate the resident, and any outcomes.

As we all know, time is the biggest factor when someone goes missing. The more quickly the police are notified, the sooner the search can start. The biggest impact on these cases should be police response time. Waiting until the facility staff perform an on-site inspection, which could take hours, is wasted valuable time. This time should be used by both the staff and police,

who could be searching the community either by foot or by driving in the vicinity, as patients who wander are usually found close to but not on the facility grounds.

Randy Mogridge, an autistic man who walked away from Oaklands Regional Centre in October 2004, wandered from the centre on four separate occasions that same day he went missing. The first three occasions were not reported to senior staff, as Mr. Mogridge was found. If the police and his family had been notified when he wandered off the first time, he may not have attempted to leave the facility again that day.

Wandering is a rising concern here in Canada and in the United States. According to US statistics, 75% of residents in long-term-care facilities suffer from dementia; 24% of them are deemed likely to wander. In January of this year, Indiana introduced a bill which will be enforceable on July 1, 2005, involving a missing senior citizen alert, which would allow law enforcement agencies to prepare and forward a report concerning the missing adult to other law enforcement agencies, the National Crime Information Center, news agencies and the data communications system.

1010

Missing adults is a problem that is on the rise. According to a Nova Scotia study, we in Canada have 10,000 to 12,000 adults who are classified as wanderers. Forty-five per cent of those who wander and suffer from dementia will die of exposure. We need to ensure that we have done our best in helping to locate these people as quickly as possible. This can only be done if the police are notified as soon as an absence is noticed.

In Grimsby, a community policing committee was launched in 2003 to compile a registry of individuals in care facilities who were deemed wanderers to help police find them quickly, as the first 12 hours are the most important in finding the patient alive. The Alzheimer Society has had a registry since 1988. This project, launched in eastern Ontario, is aimed at streamlining searches for missing or wandering elderly patients by providing long-term-care homes with a standardized plan for quickly dealing with disappearances. Police are given photo-aerial maps of the area, along with a profile of the potential wanderer.

Even at a time when our government is moving forward and making changes to our long-term-care homes, we are still facing challenges. The Long-Term-Care Facility Program Manual states that homes are to have a contingency plan to maintain the health and safety of residents. As part of the contingency plan, homes are to address internal disasters, which would include missing residents. However, this plan is not submitted to the ministry for authorization. Making it mandatory for these disasters to be reported to the police would not only serve the missing person's and their family's best interests, but would also be a transparent regulation with no margin for error.

Will there be times when the police are notified and the resident is then found to be safe on the facility premises or just outside the grounds? Yes, but giving the

families the assurance that the police will be called forth with if their loved one wanders away outweighs calls to the police which may deemed to be premature. Time is a very big concern when searching for missing persons. It is always in the best interest of the person to be reported missing as soon as possible so that police can begin a search and can also judge what type of search is necessary when considering the amount of daylight left in the day.

On many occasions, patients who wander are easily recognized by citizens or police if they are made aware that the person is missing, as many of the wanderers are not dressed for the weather: They may be in pyjama pants, not wearing shoes, or many leave the premises without jackets. In one instance of which I have personal knowledge, the patient wandered off in pants and a T-shirt. When police interviewed people who worked in the area the next day, they remembered seeing the individual walking in the community the day before. "If I had known he had wandered from a care facility, I would have notified the police," was the response received. As the man was not dressed for the weather conditions, passers-by noticed him but did not think to call. The police, unaware that he gone missing, not having been notified forthwith, did not begin their search until several hours after the man wandered. He was unfortunately found dead from exposure.

The passing of Bill 198 will allow administrative or ministry compliance advisers to perform their tasks without having to decide whether or not to contact the police. Legislation will require them to notify the police when a person goes missing, relieving them of making the decision about when or when not to call the authorities. Families will be comforted in knowing that if their loved one did wander, the police would be called forthwith upon their absence being noted.

Today I'm asking that this Legislature do the right thing, something that makes sense. We know the importance of time when it comes to a missing child; let's make that the same rule for adults who go missing from care facilities.

**The Deputy Speaker:** Further debate.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to participate in the debate on Bill 198. The intention of the honourable member in bringing this bill forward is certainly honourable, and I think all of us in this House will support the concept of whatever safeguard is available to us.

My reservation in bringing forward an additional piece of legislation to address this issue is simply that it seems that every time there is an issue, honourable members seem to feel that the answer is to do more legislation and more regulation. I want to point out that we already have the provisions in the province of Ontario. In fact, I made my inquiries within the riding of Oak Ridges, which takes in the town of Richmond Hill, the town of Whitchurch-Stouffville and the northern part of Markham. We have a number of long-term-care facilities, homes for the aged and other facilities that will look after



and have the responsibility for the care of seniors and those in need of this kind of protection. What I hear from the professional caregivers, from those who have the responsibility for administering long-term-care facilities, is that they have reservations about yet one more regulation coming forward. They pointed me to the Long-Term-Care Facility Program Manual; if members are not familiar with it, they should make themselves familiar. I have a copy of it here.

Section 1011-01 refers to "Standards: Programs and Services." It is in the facility organization and administration section, "standards and criteria." I just want to share with honourable members some of the references in this particular manual that all long-term-care facilities are guided by and in fact have an obligation to comply with. It states very clearly under M3, "There shall be coordinated risk management activities designed to reduce and control actual or potential risks to the safety, security, welfare and health of individuals or to the safety and security of the facility." Then it goes on, under M3.10, "There shall be written contingency plans for handling internal disasters (including missing residents, bomb threats, fires, loss of essential services, service disruption)."

There is a very specific reference to the requirement for contacting police in the same document. Under section A, it refers to "Unusual occurrences to be reported immediately by telephone and followed by a written report." It goes on to say, in section 1:

"Agency contacted:

"(a) Police for occurrences of abuse and/or assault involving a resident" and a number of other categories, and then specifically refers to "missing person, according to the facility's own disaster/search plan definition of when a person is 'missing.'"

I wanted to read that information into the record to make the point that I'm not convinced that we need to legislate yet one more piece of legislation. What we simply need to do is ensure that the existing regulations we have, the existing guidelines, are in fact enforced. That, I suggest, is more a matter of compliance requirements, a matter of education. It doesn't matter how many laws and regulations we put in place through this Legislature if, at the end of the day, the implementation isn't what it should be and if there aren't consequences for non-compliance. Then we can have truckloads of legislation and it will serve no purpose.

1020

I want to point out as well, with regard to some of the specific contacts we made within the riding, that we spoke to Susan Hart, for example, who is a director of the Alzheimer Society of York Region. We also spoke with Donna Taylor, who is the administrator of Specialty Care Bloomington Cove. Susan Hart makes the point that they are in fact following these guidelines currently and that they take them very seriously. As a result, in her opinion, there are sufficient guidelines in place today that whether we pass this legislation or not won't change how they conduct their business. They are already taking the initia-

tive to contact the police if there is a missing person they become aware of. From that standpoint, I want to say that we have very responsible people in the long-term-care business who take seriously the issue of their oversight responsibilities with regard to their residents.

The honourable member indicated in his remarks that he was alerted to this issue before us today or it came to his attention as a result of an unfortunate situation that we all read about and saw in the media. I want to make the point that just because of isolated circumstances—and I will not comment on whether the facility was somehow not diligent in their responsibilities—we have a tendency in this place to cover a multitude of sins with new regulations and new legislation, when I believe what we should be doing is spending much more time on trying to determine what it is we can do and what resources can be put in place to enforce the regulations that we currently have, to ensure that the appropriate inspections are taking place and to ensure that there are consequences for any facility, particularly a long-term-care facility, that does not comply with the very clear direction, the very clear guidelines that the Ministry of Health in this particular case has put forward.

Donna Taylor also indicated that her facility abides by the regulations in the Long-Term-Care Facility Program Manual. She indicated that any missing resident is immediately reported to the police, the resident's family, the facility's head office and the Ministry of Health. I make that point because I don't want there to be a perception on the part of the public that somehow those charged with the responsibility of looking after residents in these facilities—that somehow there is a culture in this province of mishandling these circumstances and not giving due care.

Another facility within our riding, the riding of Oak Ridges, is Bloomington Cove. They also confirmed in discussions that they work with the Alzheimer Society missing person registry and provide updated photos and identifying information on an ongoing basis. I want to take this opportunity to commend the work of the Alzheimer Society. They do incredible work in our province, and, as you know, in large part, through volunteers within our communities.

I will, of course, cast my vote in favour of the intent. As we know, that's what second reading is. It's a matter of, do honourable members agree in principle with what is being put forward? So how could I vote against this? The intent is right. I do so, however, with reservations for the reasons I've shared with honourable members. I believe that, first of all, we should be giving credit, honour, respect and gratitude to the many responsible administrators and caregivers in our province who are working within these facilities. Second, I caution honourable members that every time we have a concern or see something in our communities that needs to be addressed, we not overlay that with another statute, thereby, I feel, often missing and sidestepping our responsibility for ensuring appropriate implementation of existing guidelines and existing regulations that we have already.

**Ms. Jennifer F. Mossop (Stoney Creek):** I'm very pleased to speak this morning in support of Bill 198. I did have some concerns about it that I'm going to address in a moment.

First of all, what we're dealing with is a very emotionally charged issue. When we consider the idea of a vulnerable child or a vulnerable adult going missing and the anguish for the loved ones, every second is torture. Time is of most importance in these situations. We have people who are wandering away and going missing from their homes, whether it's a long-term-care home or whatever, and for the family it's sheer anguish.

My experience as a reporter is that the police are experts in dealing with missing persons cases. They're pretty good at figuring out right away whether or not this is a situation where they have to pull out all the stops, or whether it's a regular thing and what they need is just to have a little bit extra vigilance around the situation to help find the person. I was worried at first about this bill because the workload of the police is tremendous. Now every time somebody wanders off and it's maybe a regular occurrence, given the condition of the person, we're going to try to involve them in this, as if they didn't have enough to look after and enough to do. However, they are experts in this area. I'm also cheered by the fact that Mr. Racco has talked to the police about this and has their support. It does make sense when you consider their expertise and also the need to notify the community at large.

I was just listening to the remarks of the member from Oak Ridges, who was saying that we should not be, and I agree with him, pointing any fingers at the administrators and staff of these places. They have a tremendous responsibility. Instead, I think what this bill does is provide wider community support for the administrators and staff at these places. That's what they need: They need our support. We can provide it to them, in one way, through the police, who have great expertise in helping to find these people in an efficient manner.

The other thing we have to do is talk about the network the police have that they can immediately put into place when somebody goes missing. If you notify the police, "So-and-so is missing and we've just discovered it," they can put in place a preliminary action plan that notifies the police cars, the cops on the beat and maybe some of their community leaders or neighbours to be on the lookout for this person. That could help save lives—let's face it—and that's what the intent is behind this bill. At least four people have wandered and gone missing and have died as a result, and really what we're trying to do here is prevent some deaths. It's being done in a considerate manner; as I said, he has talked to the police about this.

1030

The greater community: I just want to talk about that a little bit. It's not just up to the police to be helping people out in these situations. There is a small-town or an old-fashioned neighbourhood way of thinking, of making some connections with the other businesses or neigh-

bours who might be around these homes and institutions, to involve them in keeping an eye out for people, so that if they see somebody wandering around in the streets wearing pyjamas and all the rest, they don't just say, "Gee, that guy is wandering in his pyjamas." Maybe they'd take the extra thought and say, "That guy is wandering around in his pyjamas, and he just might be from the home down the street. Maybe I should call the home or call the police right away." That's also developing a network within the community. That's being good neighbours, taking things into a neighbourly hand, and involving the police can also help to do that.

The intent of the bill is very clear. We are trying to save lives here. We are trying to provide wider community support, through the police, through some ideas of developing working relationships for the administrators and staff of these homes because it is a tremendous responsibility. You can just imagine the sinking feeling in their stomach when they realize that somebody who is their charge has gone missing and they know that the person is having some difficulties with memory or whatever, which makes them vulnerable, and that if they can't locate this person quickly enough, they are now going to have to pick up the phone and call the family and notify them of the situation.

I don't think there is any harm. I think there is a tremendous amount of benefit to developing a relationship with the police, with the wider community around these homes, that will help in these searches and help to bring people back home safely, quickly, and not have to endure the anguish of having somebody go missing. I talk about it from a personal standpoint. I went through a situation where there was a person missing from my family. Every second is hours, and you do need the expertise of people, because there is a tendency to flail around and for everybody to run in the same direction and look in the same direction. My sense is that bringing the police and the wider community into this situation will help to make it a more orderly, quicker, supportive situation and prevent what Mr. Racco is first and foremost concerned about: the fact that these people wander off and never come back. I think Mr. Racco was indicating that three people had frozen to death because they had wandered off, weren't appropriately dressed and couldn't be found in time. They probably had huddled somewhere and then died. This is what we need to prevent, as best we possibly can.

I'm just going to sum up one more time. It's a very emotionally charged issue. I think it's great that this member has brought this forward. I think it's great that he has consulted the police on this matter. It's not pointing fingers at anybody in terms of the administration or staff of these institutions and homes; it's just taking a step, a legislative step, toward putting a framework in place to provide wider community support through the police, through more awareness of the situation. In so doing, I think we can go a long way to saving lives and supporting these institutions that are charged with looking after our loved ones, whom we want to give our full support.



**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** I'm pleased to join in this debate. I think it's an important initiative and I want to compliment my colleague for bringing it forward. As one who had the privilege of working with Minister Gerretsen, the minister responsible for a number of municipal affairs issues as well as seniors, I was exposed in a rather dramatic way to a number of concerns and issues related to seniors, particularly in the area of the Alzheimer strategy, which the previous government initiated and which has served the people of Ontario very well. It has taken some changes over the years.

I want to, in the context of this bill, tell a true story. I was at an event in Burlington on advances in dementia research. I was there because I was interested in getting a bit of an education about what was happening. The fact that my late mom suffered from Alzheimer's was an additional incentive to learn what I additionally could. When I was there at the break, an older fellow came up to me and he said, "You're Mr. McMeekin, aren't you?" I said yes. He said, "I'm really pleased to see you here. It's really good to see some of our political people out to learn things." I said, "Who are you?" He told me who he was. I said, "Pleased to meet you." He said, "By the way, I've got something I want to say to you." I said, "What's that?" He said, "I'm not afraid to die." I said, "That's interesting," conjuring my old social-work skills, thinking, "How long have you felt this way?" or "What's happening?" So I spoke with him about it and it turns out, when I said to him, "What are you afraid of?" he said, "To tell you the truth, I'm really afraid I'm going to get one of those debilitating illness that's going to make me a burden on my family and end up in one of those blankety-blankety long-term-care facilities." And I said to him, "That's interesting. It's pretty dark. What's your hope?" He said, "My hope is I that get sick late and die quick." I thought, "Wow, isn't that the hope that many of us might articulate in a sober, reflective moment?"

As I got to talk to this fellow, he expressed something else, which was quite instructive for me at the time. He was 81. He was there for a break. This was his respite night. He had arranged to have somebody take care of his 84-year-old spouse who was home with Alzheimer's, as they'd made a pledge to each other they would, as long as they could, take care of each other. Why? Because he was afraid that if his beloved ended up in a long-term-care facility, they wouldn't be able to watch out for her, to take care of her, that she might wander away. He felt much more secure accepting that responsibility himself, as difficult as it was for him. As I say, that was instructive to me, and I suspect that if the mandatory regulation that the honourable member is proposing were in place, that would allay many of the fears that people like this gentleman have.

I also suspect that in many cases, folk who are really vulnerable are on kind of a watch list anyway, that if they disappear there's going to be some action taken by responsible caregivers to provide that. But do you know what? On the off chance that there are some out there—

and I believe there are—who wouldn't take those kinds of precautions or might feel embarrassed to have to report somebody missing, I think it would be profoundly helpful to have this kind of fallback position in place.

So I support this, based on my experience with seniors, and particularly with those who are at risk, and more specifically with dementia concerns. I do so enthusiastically and without reservation and hope that all members of the House will rally to support this very thoughtful resolution.

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'm pleased to join the debate on the motion that has been put forward by the member for Thornhill, Bill 198, An Act to amend various Acts in respect of the reporting of missing persons from care facilities. I certainly do appreciate the interest that the member has taken and the attempt that he has made to ensure that those individuals who are in care facilities and go missing are reported as quickly as possible in order that all effort can be made to locate them in order to prevent them from any harm that might befall them.

However, I think that my colleague from Oak Ridges has made some excellent comments about some of the procedures that are already in place, some of the guidelines that we have in the long-term-care manual.

**1040**

I think it's important that we recognize that much of the problem that we have today is because we probably don't put the effort into ensuring that there is compliance. There are already many regulations and there are many guidelines which certainly do offer the protection for persons within care facilities. I think we need to ensure that there is enforcement of those guidelines, that there is enforcement of all of the regulations and that there is compliance. Obviously there is a responsibility to make sure that happens, and part of that means that there need to be ongoing regular inspections of these facilities in order to ensure that the regulations and guidelines are being met.

I will support the intent of this particular bill. I recognize that we all share responsibility for the health and safety of people in the province of Ontario. However, if this were ever to go beyond second reading, there would be a need, I believe, for considerable consultation, because we simply cannot continue as legislators to pass regulations and increase the amount of red tape if we already have guidelines and regulations which would cover this type of situation. We need to deal with the care facilities, the people who would be impacted, families; that's extremely important. But I commend the member for the compassion and concern that he has shown for these individuals in care facilities, so I am prepared today to support this Bill 198.

**Mr. Michael Prue (Beaches–East York):** It is a privilege, as always, to stand and to debate private members' bills. I often think they are among the most interesting bills we have to deal with in this Legislature. This bill in particular is a small bill, as most private members' bills are. It contains only two pages, and most of them are very similar to that.

This bill will change four particular acts: the Charitable Institutions Act, the Developmental Services Act, the Homes for the Aged and Rest Homes Act, and the Nursing Homes Act. It will change them all in identical ways, and that is, quite clearly, it will result in the administrators of those homes having to inform the police immediately when someone goes missing. That's a good thing, and I'm going to be supporting the bill.

I don't think any of us in this House could ever not support such an idea. But I do have to be somewhat critical, not of the idea that is here today, but the fact that it takes a private member's bill to do what I believe this government should be doing on a much grander and greater scale, because what is being dealt with here today is one small aspect of what is going wrong in our care facilities.

I'd just like to go through what I think is going wrong and why we need to do a lot more than what is contained in this particular bill. The mover of the bill, the member from Thornhill, talked about the very tragic case at Oaklands, of Randy Mogridge. I want to deal for a few minutes about that very tragic case and what the recommendations that came out of that case had to say. The 11 recommendations from the coroner's inquest did not mention in particular that the police be notified immediately when someone went missing. There were 11 recommendations. That was not one of them. So I have to pause and think, what did the coroner think we should do when people wander away?

Among the 11 recommendations, there were three that I think are key, and I'd like to deal with each of them in turn. The first one is that the coroner, Dr. Bonita Porter, made a finding: "There has been a reduction in the complement of registered nurses at Oaklands Regional Centre. This reduction has led to increased reliance on non-health-care staff to identify and interpret the symptoms of potential health problems."

Her recommendation was, "a review of the complement and qualification of staff [including] careful consideration of an on-site, full-time, health care resource ... who has specific expertise."

The recommendation here, I think, goes to the very heart of the matter and what is wrong when individuals wander away. They are wandering away increasingly from these facilities because there are not the eyes and ears of trained professionals who can stop people from what is called eloping, from simply taking off, wandering in the day or night. The professionals know how to look into the symptoms and what is causing that, whether there was an upset with the person, whether wandering is a habit or an attitude, whether they are simply uncontrollable.

I would suggest that this is what this Legislature should be dealing with, this Legislature and the government in particular. Only the government can do it, because it will, of course, involve the expenditure of money, so I'm not for a moment suggesting that this can be part of a private member's bill. What this government should be doing is making sure that there are those

professional experts in the field in each one of the homes where we house our frail and most vulnerable people, where those who have a penchant to wander are housed, because, as in the case of Randy Mogridge, had there been somebody there, the coroner is quite convinced that was one of the key things that could have and would have stopped him from his wanderings. He didn't wander away once and die; he wandered away many times before he succumbed to a very tragic fate.

The coroner also talked about another finding, and I quote coroner Dr. Bonita Porter again. Finding: "a reduction in management and nursing support, reduction in resident programs and funding for infrastructure, such as security, might have impacted the quality of services to Oaklands residents." Her recommendation was a very simple one, that "an operational review [should] be conducted to ensure that adequate resources are made available." This is pretty simple. If you have a structure in a facility like Oaklands, or any of the hundreds or thousands of infrastructures across this province, it is very easy to institute a plan that will trigger something. When we walk into this Legislature, unless you're a member of this House, we all go through metal detecting devices. You go through security checks. You go through all kinds of things to walk into here. That same technology is available for people leaving facilities as well.

I remember my mother-in-law, who is now deceased, was in a home for the aged in East York. Although she never wandered away, she often threatened to. She would say, "I'm leaving here. I'm going back to Scotland." That was one of her famous phrases. She wouldn't do it, because she felt safe and secure within the building, but if they wouldn't give her what she wanted or if she was cantankerous that day, that's what she said. So they put a tiny bracelet on her wrist, and she couldn't take it off. What happened if she attempted to go outside the doors was the bells would ring. I thought it was a good thing. They asked me, because I had power of attorney for her care, whether I objected to that. Quite the contrary; I did not object to that. I thought that was an absolutely important thing for them to have. That was a tool and a disposal they could use. Each one of the doors was wired so that if a person who was known to wander left the building, the alarm would trigger. Immediately upon leaving the building or the confines of that property, the alarm would be triggered and go off. When she went outside for picnic days and things like that, they took the bracelet, they did whatever they had to do and then put it back on her outside, so if she attempted to go out of the gate, it would trigger again. It allowed her the freedom to have picnics and to do all the things with the other residents who lived in that facility.

I think we need to make sure that there are funds available to do that in all of the facilities, including Oaklands and in literally every other one. That technology exists. It's not enough to call the police, because by the time you've called the police, it's too late. The time that the staff should hear the ringing going off is if someone passes a certain point. They'll know that one of the resi-



dents has left and should not have, and they can actually go and get them themselves. Better to get them themselves than to call in the police when they're down the street, down the block, in the ravine, in the river or wherever else they're going to end up, or out on a cold night. Much better to find them while they're still on the property.

1050

The coroner made a third recommendation, the last one I want to deal with today. That was a finding that, "the confusion resulting from inconsistent messages regarding the future of Oaklands had an impact on the staff and the provision of services to its residents." Her recommendation was a very simple one: "Clarify the nature of services to be provided at Oaklands Regional Centre."

Our centres are, of course, multidimensional. They have people with a broad range of abilities and disabilities, and they have people in them who may be prone to wander or who may not be prone to wander. I think that we need to have specialized institutions. If people are prone to wander, that kind of provision should be made. Staff should be specially trained on how to deal with individuals who are like that, so they are able to stop the wandering and so the police do not need to be called.

The coroner, in making her recommendations, described the staff at Oaklands in three words. Her three words were: "dedicated, co-operative and professional." But they were dedicated, co-operative and professional without having the resources they needed to do their jobs. I'm sure that each one of those locations had a phone, and that each one of those locations, had they found out in time when a person went missing, as 10 did at Oaklands—as 10 did die at Oaklands—would have picked up the phone and called the police, the families and their fellow individuals who work there to conduct a search. But in fact, they didn't have that kind of thing.

The problem was set out by the coroner's report, which went on to say that (1) there's been a reduction in nursing staff and (2) there has been a reduction over the years in the funding of the infrastructure necessary to upgrade and make modern the facilities, which would allow the technology to better serve the individuals living there. There is a whole confusion around the closure of Oaklands.

This government has been sadly and hugely silent on what their plans are. I commend the member from Thornhill for at least coming forward with one plan, but this government has been sadly and hugely silent on where they're going with care facilities. In the past number of weeks and months, I would suggest that there have been at least 100 petitions read in this Legislature about the closing of our regional centres. A great many of them are read by my colleague the member of the Conservative caucus from Simcoe North. I don't know where he finds them all, but he seems to be able to find one or two every day emanating from somewhere in the province. I have read a couple of them in myself.

These centres are amazing places. I can't speak for all of them because I have only visited one, and that is the Huronia Regional Centre in Orillia. I didn't know what to

expect when I went there, quite frankly. I had never been in such a centre before, and I went there with some trepidation as to what kind of institution I would find. My fears were quickly heightened, first of all, and then allayed. They were heightened when I was taken into a room full of what I would consider younger men—in their 20s, 30s and 40s—who have a rare and horrible condition called pica. I had never run into it before; I had no idea what it was. They wander and they incessantly eat things. They put everything they can find in their mouths. They had to be fitted with special gloves that could not be eaten so they wouldn't pick at things and put them in their mouths.

The people who work there showed me how one resident had been successful in peeling off the corner of a wall and had started to eat at the asbestos and other things that were contained within the wall, and was followed in very short succession by almost every other individual, who started to eat corners and pieces out of the wall. The staff who found it—luckily, in a very short time—put metal strips and fittings on the corners of all of the walls so that that could not happen. The beds had to be outfitted with blankets and the like, which, if eaten, would not cause harm to the individuals.

It was a horrible experience, I have to tell you, to be in there with these people and to see them and their lives.

But then they took me to the other rooms, where I saw other individuals who were not quite so profoundly disabled, and I saw the really excellent service that the staff tries to provide. I saw Snoezelen rooms, which are sensory rooms that help people to sense and to feel things that they may not otherwise be able to, with light and sound and warmth and heat and music. It was really quite remarkable to see the attempts that were being made within what was called a centre of excellence to provide this.

There is a report put out by OPSEU called Centres of Excellence, and it talks about these three facilities in Ontario. They have set out, I think quite clearly and succinctly, what needs to be done. They have argued three things: that there are no sector-wide standards on the basis of safety and wandering and that the best practices can be found within these centres of excellence, not in the many other places where people are housed within the community; that there are a variety of terms dealing with all of this and that there are no real definitions; and that there is no protocol once a resident is returned from elopement and there needs to be one.

If I had more time, I'd speak about more stuff. I'm supporting the bill, and I urge other members to do it as well.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** Before I address the provisions of this bill, which I support very much—and I commend the member for bringing it forward—I would like to note that a former student of mine is in the gallery today. His daughter, Alexandra Edgar, is a page here. Warren Edgar was a student of mine, and I taught with his father, Maurice Edgar. Mr. and Mrs. Edgar are here today, so I just wanted to make mention of that. It's interesting how

time goes by and how a page who is here today is the child of somebody I actually taught a number of years ago when I was in the teaching profession.

Second, I would like to welcome St. Elizabeth School from Wallaceburg, on behalf of Maria Van Bommel, the member for Lambton–Kent–Middlesex. They are visiting Queen's Park today.

On the bill itself, I think this bill is an essential one. There have been some tragic circumstances which have arisen as a result of people leaving an institutional setting, for whatever reason, and embarking upon a journey which on some occasions has ended up being a most unfortunate journey; that is, one that has ended up in a fatality or, in other circumstances, has simply caused great anguish to members of the family and, I'm sure, the people who work at that particular institutional setting.

The member for Kitchener–Waterloo, which used to be Waterloo North, Elizabeth Witmer, made reference to the fact that whenever we put new requirements or new regulations, there is an implication that there's a need for enforcement, and of course there's an additional cost. That's an assessment that the Legislature has to make: whether that particular new regulation and new cost is one which can be sustained or is reasonable.

Mr. Racco has clearly indicated his concern about this matter; I think it's shared by everybody. We've all seen the instances that have been raised in this House or in the news media, but there are many that are never raised.

We know that the people who work within the institutional setting are extremely dedicated to the individuals with whom they work, but there's also an obligation for society as a whole to protect people who are in a very vulnerable circumstance. I think this bill aims in that particular direction, and that's why I'm going to support my colleague enthusiastically in this bill.

1100

**The Deputy Speaker:** The member for Thornhill has two minutes to reply.

**Mr. Racco:** I want to thank all the members who spoke on Bill 198: the member from Oak Ridges, the member from Stoney Creek, the member from Ancaster–Dundas–Flamborough–Aldershot, the member from Kitchener–Waterloo, the member from Beaches–East York and the member from St. Catharines.

I am happy to hear all the positive comments that all members have made in regard to Bill 198. At the end of day, as all of us have been saying for the last half an hour or so, the objective is to save the lives of our seniors. We are here only because of our seniors. We should do everything we can for our parents, for our seniors. This bill, as has been said, will just do a little thing to make the lives of some of our seniors better. I am, again, very pleased for the positive comments. I thank all of them.

Hopefully, this bill will be able to pass as quickly as possible. I believe that some of the past occurrences may have had a better resolution if the police were notified forthwith. It is in the best interests of the individual who has gone missing, their families, our government and regulated institutions to notify the police as soon as a person goes missing. That is the basis of this bill. Again,

I heard positive comments from all three parties, and therefore I thank all of people who spoke in the House for, hopefully, supporting passing of this bill as soon as possible.

## BLIND PERSONS' RIGHTS AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR LES DROITS DES AVEUGLES

Mr. Martiniuk moved second reading of the following bill:

Bill 103, An Act to amend the Blind Persons' Rights Act / Projet de loi 103, Loi modifiant la Loi sur les droits des aveugles.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 96, Mr. Martiniuk, you have up to 10 minutes.

**Mr. Gerry Martiniuk (Cambridge):** I'm always somewhat surprised, because the bill seems such an obvious extension of the rights presently enjoyed by blind individuals to be accompanied by a guide dog wherever they might go, to public places or accommodation. For decades, the blind have had the right, and rightfully so, to be accompanied by a guide dog when visiting public places. During that time there has been a growth of, some would call them guide dogs but they are also called service or assistance dogs, used by other persons with physical disabilities of one kind or another. I will go into that, but I should deal with the mechanics of how the bill does amend the present act and what it seems to do.

Bill 103 simply gives to persons with a disability other than blindness the same rights of being accompanied by an assistance dog that a blind person presently enjoys. It is surely the least that we can do.

The Blind Persons' Rights Amendment Act, Bill 103, would amend the Blind Persons' Rights Act to provide the same rights of access to public places for persons with disabilities as defined in the Ontarians with Disabilities Act, including the physically disabled, hearing-impaired, deaf and autistic people with assistance dogs.

The Blind Persons' Rights Act presently provides protection as follows:

"2.(1) No person, directly or indirectly, alone or with another, by himself, herself or itself or by the interposition of another, shall,

"(a) deny to any person the accommodation, services or facilities available in any place to which the public is customarily admitted; or

"(b) discriminate against any person with respect to the accommodation, services or facilities available in any place to which the public is customarily admitted, or the charges for the use thereof,

"for the reason that he or she is a blind person accompanied by a guide dog."

The act goes on, and subsection (2) states:

"No person, directly or indirectly, alone or with another, by himself, herself or itself or by the interposition of another, shall,



“(a) deny to any person occupancy of any self-contained dwelling unit; or

“(b) discriminate against any person with respect to any term or condition of occupancy of any self-contained dwelling unit,

“for the reason that he or she is a blind person keeping or customarily accompanied by a guide dog.”

The bill would afford these rights of obtaining occupancy and entry presently afforded the blind guide dogs to: service and assistance dogs that are trained to assist a disabled person in pulling a wheelchair, opening doors, pushing elevator buttons, retrieving objects, turning light switches on or off and other activities required by the individual; hearing alert dogs that are trained to assist a person who is deaf or hard-of-hearing; seizure alert dogs that are trained to alert a person when a seizure or diabetic episode is about to occur; and lastly, the most recent development of service dogs for autistic persons, primarily children. It was the last needful group of persons that came to my attention, though all are certainly important.

National Service Dogs of Cambridge is a non-profit charity specializing in the breeding and training and placing of Labradors and golden retrievers with children who have autism. The Web site of this organization is [www.nsd.on.ca](http://www.nsd.on.ca). This charity was initiated as a volunteer organization some 10 years ago by Heather Fowler, Chris Fowler and Danielle Forbes, all of whom are still working with the charity. Their offices are located in Cambridge in premises advantageously rented from Ron Woynarski, a long-time Cambridge lawyer who often quietly volunteers his expertise for charitable causes that better Cambridge.

I had the pleasure of attending National Service Dogs' annual meeting some weeks ago, and at that time met many of the autistic children and their families who presently enjoy many of the benefits of national assistance dogs. We at that time celebrated the graduation of 17 dogs and families for the year 2004. But it is the goal of the organization to graduate and place 40 dogs a year after their two-year training period.

There is presently a waiting list of 55 children and families across Canada that have been approved. Two foreign students, one from Japan and the other from Ireland, are presently training with the organization. The Bridgeway Foundation recently granted National Service Dogs the R.L. Petersen Award for Non-Profit Innovation, and in 2005 a National-trained golden retriever named Abby in Calgary was inducted into the Purina Hall of Fame.

Each dog and its training costs about \$12,000, and no family is refused because of the inability to pay. Many families, however, do initiate local fundraising activities to assist in the cost of the dogs, both before and after placement.

1110

As a matter of fact, what was interesting was that the brother of the younger autistic child was so impressed with the positive impact that one of the dogs that was placed in Calgary had made on his brother and his family

that he initiated a fundraising, after the dog had been with him for at least a year, for another family with an autistic child.

This bill is merely a natural extension of the use of dogs for disabilities other than blindness. I know that all members of this House will want to support Bill 103.

**The Deputy Speaker:** Further debate.

**Ms. Jennifer F. Mossop (Stoney Creek):** I'm happy to rise to give my support to private member's Bill 103, An Act to amend the Blind Persons' Rights Act, introduced on June 17, 2004, by the member for Cambridge.

I'm just going to cut to the chase. I'm going to support this because I support anything that supports dogs. I adore dogs; in fact, I think dogs are angels. They have an unconditional love and devotion that you will not find in the human world. Anything that gives dogs their due respect and rewards, I wholeheartedly support. So let's just get my prejudice on the table right away.

As has already been pointed out by the member for Cambridge, dogs have demonstrated an incredible range of talents and gifts that they have been able to provide to the human world throughout history, and now we have it honed to the point where dogs are able to be trained to deliver and perform specific duties and tasks for people in a very wide range, but also for people who need extra help. We're talking about people with a wide range of disabilities. There's a sensitivity that dogs have where they can attune themselves—the seizure-alert one is probably the most amazing. They know purely by their instincts when a seizure is coming. That life-saving mechanism is just astonishing, and it's something a human being cannot do. Some day, if we work really hard, we might be able to come up with some sort of computer, machine or whatever that will measure the body temperature, tremors and all the rest that will do this, but dogs just have that innate ability. We've been able to, not to use a great word, exploit that, capitalize on it to help save lives, and it's a very supportive thing.

I just want to go over some of the ground that has already been gone over. This is a bill that, first of all, is going to rename the Blind Persons' Rights Act the Persons with Disabilities Rights Act. This will have service dogs for all types of assistance, not just for people with vision impairment but also seizure response, autism and physical assistance dogs. There may be a couple of tiny housekeeping issues that could be dealt with to make sure that this can fly, is doable, enforceable and supportable, but I think only housekeeping issues might be at stake here.

This is something that I think we can all support. Anything we can do to give people with disabilities a better life is something that anybody in this House could support. I'm going to encourage everybody in here to support this.

I'm going to take the opportunity, just because I have the opportunity, to also point out that the Ontarians with Disabilities Act, 2005, has received third reading in this House. That is a tremendous piece of legislation brought forward by this government that will make Ontario a

leader in accessibility for the disabled. It is going to make all public institutions, and private sector businesses as well, accessible to people with a very wide range of disabilities. In my view, this bill that's being brought forward by the member for Cambridge is simply a natural extension of that, and I applaud him for his foresight in this.

I want to wrap up by once again paying tribute to the dogs. I know that's not directly what this is about, but they really are remarkable dogs. As you were pointing out some of the things they can do, it really warms the heart. We've heard about being able to press elevator buttons, and help them dress and undress. They can help them with their clothes, open refrigerator doors and do all sorts of things.

As I started out, they can provide an unconditional love and support and devotion that many of these people really require. It's an underlying emotional support that's probably greater and of more importance. We've all heard about therapy dogs. There are therapy dogs for senior citizens in homes. I confess that I have a therapy dog. It's the stressed-out-MPP therapy dog. Actually, I have two of them, and every night I go home to them and I adore them.

I support this bill wholeheartedly.

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I am pleased to join the debate today on the private member's bill brought forward by my colleague from Cambridge, and to support the member from Stoney Creek in that dogs are great therapy, not just for MPPs who are stressed out, but they can be used for a lot of medicinal purposes.

It was kind of surprising when this came to my attention, because being new to the Legislature there are some matters that come up and you think, "There aren't laws or regulations?", or, "This hasn't been brought forward before?" It's quite surprising the topics we are discussing that you would think should have been in place already. The member has brought attention to something we need to move forward on.

I know we have some protections built into the Ontario Human Rights Code that people can turn to, but redress under the Human Rights Code is slow and indirect. If there is an alleged infringement of that code that would lead to an investigation and the Ontario Human Rights Commission would attempt to negotiate a change of behaviour and perhaps compensation on the part of the party infringing on the right, I think what the member from Cambridge is proposing is a solution that cuts through the convoluted process and puts protection for people who rely on service dogs into a piece of proven legislation that does a good job of protecting the rights of the blind, and would extend the rights of protection to all persons with disabilities who need the services of a guide dog.

Service dogs, guide dogs and hearing-ear dogs all perform vital functions for the people they are paired with. The dogs provide a lifeline for those who need seizure assistance or doors opened for them. They're

trained to push help buttons, to physically warn the deaf if there is a phone ringing or a baby crying, as we just heard. That was good background; I didn't bring that prop with me. The people who are teamed with these dogs rely on them to carry out the functions that most of us take for granted. But in order for that partnership to work, people have to be confident that their dogs will be able to go with them wherever they go, and this is not the case, as we've found out.

I wanted to take a few minutes to read some information into the record about the myriad tasks that service dogs can perform. This information comes from the International Association of Assistance Dog Partners. The tasks and duties have been grouped into three skill categories: obstacle avoidance, signalling changes in elevation, and locating objects.

Obstacle avoidance is navigating around obstacles, avoiding moving objects such as bicycles, people, strollers; leash-guiding around obstacles indoors or outdoors for a short distance; intelligent disobedience, as in refusing a command to go forward into the road if there is oncoming traffic or at intersections. Signalling changes in elevation: halt or sit to indicate every curb; halt to indicate descending stairs at the top of a flight of stairs. Intelligent disobedience: refusing a command to go forward if there is a drop-off. Other possible tasks are retrieving dropped objects and finding a desired object, like the morning paper on the porch.

The special-needs guide dog—and I know Gerry mentioned the National Service Dogs in Cambridge that train dogs to work with people with autism—is a good beginning.

Hearing-dog tasks—I don't know if anybody here has a chance to watch TV sometimes and see Sue Thomas: F.B.Eye, but she is an investigator who is hard of hearing and deaf, and she has a dog to assist her in her work. I think that is maybe the first show on TV where, if you've had a chance to watch, you can see how a dog can help people with disabilities—in her case, being hard of hearing and deaf—to function in our everyday lives.

**1120**

Some of my family members are deaf. I know that they didn't have professionally trained dogs, but the family dog was able to interpret sign language, which may be hard for some people to understand, but I actually saw it work. They saw the sign for walk or sit and even got to the finger-spelling stage, so that the dog could interpret the finger spelling for walk and sit. So there's a lot to be accomplished and discovered using dogs.

My second cousin, Rexana Mark, actually tried out and was accepted on to the show Sue Thomas: F.B.Eye. She is also deaf and worked with that show in the production. It was a great discovery and an opening of a world for her, that even though she is hearing-impaired, she can function in the world with certain devices and lead a normal life.

I know from experience that sometimes mechanical devices the deaf have set up don't work. If electricity goes out, the flashing light system they have to alert them



to fire detectors and their phones doesn't always work. With a dog, the system doesn't break down. The baby monitors, when they had their small child, were dysfunctional at the start, and they had to get one of our other hearing family members to sleep over till that system was straightened out.

I wanted to bring some practical experiences to the Legislature in which this bill, I think, will assist people with disabilities to access and have more of a normal life. I think all members of the Legislature—and I'm running out of time—should support this bill. The physically disabled, hearing-impaired, deaf and autistic people who rely on guide dogs deserve the same rights and access as blind people. I'm sure that we'll receive all-party support today.

**Mr. Mario G. Racco (Thornhill):** I want to start by thanking the member from Cambridge for bringing Bill 103. I think that the bill should be supported.

Of course, what Bill 103 does especially is add more to Bill 118, which has received third reading in this House already. I was pleased, when we went around the province of Ontario, to hear many comments—whether we were in Niagara Falls, London, Thunder Bay or anywhere we went with the committee that dealt with Bill 118—that people who have disabilities not only are people like any of us and deserve the same possibilities, but at the same time they are also a very strong economic power within our country. In fact, it is currently estimated that people with disabilities have control over \$25 billion in disposable income in Canada. So not only is there the human side, that we should strive to make the lives of all Ontarians as good as possible and allow people to work, socialize and play as much they want, but at the same time, it is also accepted or understood that it is healthy for the province of Ontario, because people with disabilities, just like anyone else in the province of Ontario, do have income, do spend money, do work and do participate in day-to-day activities. Therefore, it's important, not only from a social point of view but also from an economic point of view, to do whatever is possible to allow every Ontarian, regardless of their potential disability, to participate in daily life. This bill gets a step closer to making that happen, and therefore it deserves support. I again thank the member from Cambridge for bringing Bill 103.

**Mr. Kim Craiton (Niagara Falls):** I am pleased to have the opportunity to speak on the private member's Bill 103. I too want to commend the member from Cambridge for bringing this bill forward.

I can still remember, I think it was about six or seven months ago, that I received a phone call from a constituent—and I know she would not be offended if I mentioned her name: Brenda Howell—who called me one day and was quite upset that her son, who uses a service dog, was not allowed to have the dog with him when he was using the transit system in Niagara Falls. I asked her to come into the office so I could meet with her and her son Albert. I asked her to bring in the dog with her. The dog's name is Magic.

We sat there, and that was the first time, I must say, that I understood that there was an opportunity for service dogs to have some benefits to individuals or children with some different type of disabilities. I was quite surprised to learn that the service dog, Magic, that she brought in with her, was still in training and the cost to train the dog was \$22,000. In fact, I was so shocked that I made a few phone calls, and that is a normal price to train a dog to have those special abilities.

A few more phone calls and, much to my surprise, I found out that there was, in fact, no legislation that gave them the right to have the service dog allowed into stores, transit systems and other facilities in our community. The blind persons' act gave those individuals who needed a Seeing Eye dog that right, but other individuals with different types of disabilities didn't have that opportunity.

A couple of the things that we decided to do—and I am so pleased to support this bill because I had been working on bringing some legislation forward, probably quite identical to this. I had met with the CNIB on a number of occasions to talk to them about possibly amending their bill or including in their bill the right for service dogs to be recognized. So I was still working on that process. This bill certainly offers that opportunity.

I'm also pleased over the fact that when we passed Bill 118—and I was quite pleased that the committee took the time and came out to Niagara Falls and held a hearing there. In fact, we had a wonderful turnout. Many people from throughout the whole region and a number of people from my own riding came out and spoke in support of Bill 118. I know that there is an opportunity with Bill 118 to maybe include standards that might address this, but, in the meantime, this is a good bill, and I want to see it continue forward.

Some of the things that we've done, just in Brenda's case, for example: The Chippawa volunteer fire department has held a fundraiser along with other groups in the community to help support her financially to try to cover the costs for the training of this dog.

Brenda and Albert and Magic have been into my office quite often. They'll stop in and we'll have a coffee and chat.

There are some other projects that we are working on. For example, Brenda lives on a street that is extremely busy with traffic, and we have been trying to convince the local city council to put up a sign that would warn motorists that they should be slowing down or that there is a boy who has a disability and to be extra cautious. We haven't been successful yet, and I'm a little disappointed. I know that the matter was brought up at city council on Monday, and I wrote a letter of support asking the council to find some type of sign that they could put up. I indicated that I, as a member, would go forward on whatever I can do up here to see if there is some way in which, if there isn't a current sign, then we could, through the Minister of Transportation's office, look at developing a sign that could be used across all of Ontario in those kinds of situations.

The service dogs—it's very unique, because when you get a first-hand experience to meet a service dog in the family—the dog has such a calming effect on Albert. He has a unique disability, and when he is out and about and the dog is with him, he is very calm, he is able to enjoy himself, and the family just feels so much more comfortable. The fact that you spend \$22,000 to train a dog just shows you how significant a dog like that is.

1130

Some of the speakers before me mentioned some of the positive effects that a dog like this has. Having seen it myself, I can tell you that it is important to a family to be able to have that dog go out with Albert and be able to participate in all types of community events and use different services that we have in our community knowing that because the dog, Magic, is there with Albert, it allows him to be out and active in the community.

I hadn't intended to speak on this bill. I want to thank my two colleagues who gave up some of their time to allow me to say a few words. I am extremely pleased that this private member's bill is coming forward.

I too want to echo the comments I've heard before from other members that private members' bill time is really unique. I always say back home that many exciting and rewarding bills come out of private members' time. Just a couple of weeks ago, I had the pleasure of watching Bill 3 being passed here in this House. That originated out of private members' time. In my opinion, there are a lot of benefits and a lot of rewards that come out of private members' time bills, and this happens to be one of them. I am just so pleased that it's coming forward.

I do feel, though, that there will still be some opportunities with our bill, Bill 118, which is just as significant a bill, and maybe there will be an opportunity to incorporate the standards that we're talking about right now into that bill when the committees are formed and meet to develop those standards.

In conclusion, I just want to again thank the member from Cambridge for bringing forward the bill and thank the House for allowing me the opportunity to speak on this.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I certainly rise in support of this bill brought by the member from Cambridge, An Act to amend the Blind Persons' Rights Act. The focus, as we all understand, is to extend rights to all persons with disabilities if they are dependent on a guide dog.

It is truly remarkable what these dogs can do. What we often don't see is what these dogs can do in the home and elsewhere to assist people who have disabilities. In fact, Mr. Martiniuk has pointed out that the dogs can help people who are suffering seizures, they help push help buttons, open doors and can physically alert the deaf people, for example, to an emergency situation, and there is assistance for autistic people. It really seems apparent to me that all of these people with impairments or disabilities who are relying on dogs deserve the same rights of access as we as a society have given to the blind. Probably most of the states in the United States

have legislation that does this. It's very important for all of us to realize that we do take our hearing for granted and we take our sight for granted. This is certainly something that we can do to help out.

There's another thing we can do to help out. On April 27 this year, the LCBO approved placement of donation boxes for Canadian Guide Dogs for the Blind. For those of who visit the LCBO, it's an opportunity to throw in some change or some paper money. It would be our way of directly helping some people who need it. The Canadian Guide Dogs for the Blind is one of 26 provincial and numerous local charities that benefit from these LCBO fundraising strategies. Hundreds of thousands of dollars are raised. I want to thank the LCBO for setting up these kinds of programs. LCBO customers are generous people, and I would like to extend my thanks to them for their donations in the near future, which will better assist.

I'm looking forward to continued progress in this legislation to assist people—not only blind people, but deaf people and other people with disabilities—who rely on these dogs to access ringing telephones, alarm clocks and smoke detectors and to hear automobiles or trucks that may be coming, in harm's way.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to rise in support of Bill 103, brought forward by my colleague. I want to say at the outset that, as was previously mentioned, often there are things within legislation that one just assumes are already there. This happens to be one of those situations, where the extension of a definition or its re-definition is most appropriate, to allow for assistance dogs to have access and to be appropriately recognized for providing their support services.

I want to take this opportunity to make reference to the Bloomington Cove long-term-care facility in Stouffville. I had the opportunity to make a special presentation at Bloomington Cove in July of 2004. That presentation was to a dog by the name of Eneda and her master Ruth Love, who were part of the therapy dog program at Bloomington Cove. This past spring, Beverly Keith and her dog Pepper were recognized as well for the services they provide at Bloomington Cove. I noted with great interest the effect that these dogs have on the residents of this long-term-care facility. It's just one aspect of how important dogs can be in improving the quality of life of people in our province.

As was indicated before, the jurisdiction of the Human Rights Code already recognizes the important role of assisting dogs. The code's definition of "disability," as you know, includes "physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device." It's only appropriate that we extend the definition, as proposed under Bill 103 today. I believe that it's during private members' hour that we as members of the Legislature and the public have an opportunity to get insight into some of these areas that we otherwise might never become familiar with.

I want to take this opportunity, in the two minutes I have left, to call on the government. I know this bill will



be passed, but there is something so important that I want members opposite, members of the government, and members of this Legislature to consider, and that is the continuing inequity that exists in the kind of support and funding that is provided to many in our disabled community. I speak specifically of the deaf-blind. It was some time ago that I called on the Minister of Community and Social Services to address this inequity in funding. While at the time in discussions with them, she agreed to meet with members of the deaf-blind community who had visited Queen's Park, nothing has yet been done to rectify the inequity of funding. These are people who are both deaf and blind and who are not yet being recognized by this government appropriately for the kind of support services they need.

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We will, as I said before, no doubt pass this legislation, but what we can't do is lose sight of the many people within our communities who continue to make appeals to this government to recognize their very special circumstances, and it is our role as legislators not to forget that these are our priorities. As has been said before, society really is measured by how we treat the most vulnerable in our communities, and that is something that I trust all members of this House will keep in mind as we move forward.

**Mr. Gilles Bisson (Timmins-James Bay):** As the representative of the New Democratic caucus, I want to say that we will give support to this legislation. This is what I call a no-brainer. Why we're in this situation, in the year 2005, having to bring forward legislation to deal with this issue is, I think, somewhat reflective and says something about us as a Legislature and as a government overall, because this is an issue that you would think we would have dealt with some time ago.

We know that people in the province of Ontario are very progressive. People understand that properly trained dogs are an integral part of a person's life when it comes to not just people who use them as seeing-eye dogs but for all other people who use dogs. Why we accept this premise on behalf of blind people and not other people with disabilities is beyond me. I just think it's a bit sad that we find ourselves here in 2005 having to move forward on legislation.

I commend the member for bringing it forward and for recognizing the oversight in current legislation; I commend the member for having done that. But on the other hand, I say that a lot of us have been asleep at the switch, not having dealt with this before. I guess "better late than never" is the old adage that you could basically use on this particular issue.

I also want to say, however, that there's a lot more that can be done in regard to dealing with how to make life easier for people with disabilities. The government has come forward with legislation—I think it's Bill 118, the Ontarians with Disabilities Act. Certainly it goes forward and moves the yardstick forward when it comes to opening up access for people with disabilities but, my Lord, what a baby step we're taking.

There are some things we need to be doing that I think would be very positive as far as being able to assist people with disabilities. For example, we should be amending the building code in such a way that says that when we're planning and building all types of buildings in the province of Ontario, we have to take into account certain issues when it comes to making sure that these buildings are accessible, specifically public buildings, paid for by both the private and public sectors when it comes to any building that the public needs to enter for the purpose of doing business. We could very easily, by way of the building code, really move forward and deal with a lot of those issues.

The other approach we should also be taking when it comes to planning in municipalities is to include some amendments to the Planning Act so that all of these issues are dealt with. For example, when we pour a sidewalk a street during a road repair, why not cut down the curb so that people who are using wheelchairs and people who are having difficulty walking don't have to jump off the curb or fall and sometimes trip and hurt themselves or possibly get severely injured as a result of doing something as simple as not cutting the curb? There are a lot of things we could be doing under the Planning Act that would allow us to move forward.

Pour les personnes avec des « handicaps », c'est spécifiquement plus difficile d'être capable de vivre dans un endroit de l'Ontario qui se trouve hors des centres urbains comme Toronto, Ottawa et autres. Imagine-toi si tu demeures dans une petite communauté quelque part en Ontario, à l'est, dans le nord, dans le sud ou n'importe où. Quand ça vient à donner les services aux personnes avec des « handicaps », c'est beaucoup plus difficile d'aller les chercher.

Je vais raconter une histoire. On se rappelle M. Malkowski, un député de cette Assemblée de 1990 à 1995. Mon bon ami Gary Malkowski est une personne sourde. Je me rappelle toujours qu'il était avec moi sur le comité constitutionnel, où on a eu une chance d'aller écouter le monde de Sioux Lookout. J'ai trouvé ça très intéressant, et vraiment ça m'a ouvert les yeux quand il y a eu un monsieur qui est venu présenter. Il y avait tout d'un coup une excitation dans la salle. Je n'avais aucune idée de ce qui se passait, et finalement, ce qui est arrivé est qu'il y avait un homme qui demeurait à Sioux Lookout qui lui-même était sourd et qui parlait seulement en American Sign Language. Il n'y avait personne d'autre à Sioux Lookout qui parlait ASL; il se trouvait seul. Il était excité parce que c'était la première fois en 15 ans qu'il allait parler à quelqu'un.

Donc, imagine-toi les difficultés des personnes qui ont des « handicaps » dans nos communautés. Je regarde les réserves dans le nord de l'Ontario, par exemple à Kashchewan, au nord de Fort Albany. Il y a un monsieur en chaise roulante. Écoute, ce n'est pas facile, les chaises roulantes à Fort Albany ou à Kashechewan. Il n'y a pas de pavés. On parle des chemins qui sont encore en gravier. On parle en hiver de chemins qui ne sont pas très bien entretenus parce que l'infrastructure n'est pas là.

C'est très difficile pour les personnes avec des « handicaps » de vivre dans ces communautés.

Je pense que c'est dire que, quand on ne fait pas assez comme province pour être capable de répondre aux besoins, il y a une rancune dans le système, quand ça vient à répondre aux problèmes qu'on a dans nos communautés pour s'assurer qu'une personne avec une « handicap » peut vivre d'une manière plus facile dans sa communauté. Parfois, avec la situation où une personne demeure dans une petite communauté quelque part en Ontario, même plus sévère, dans le nord de l'Ontario, cette personne a besoin de décider de déménager loin de sa famille ou de ses amis pour avoir des services en allant quelque part un peu plus central où ces services existent. Par exemple, dans la ville de Timmins, on trouve du monde de différentes parties du nord-est de l'Ontario ou de la Baie-James qui ont besoin de déménager à Timmins parce que c'est un centre urbain où on peut aller chercher des services qu'on ne peut pas avoir dans nos communautés.

On a une chance, avec ce projet de loi, de répondre à une partie du problème. Si une personne, autre qu'une personne qui est aveugle, a un chien, elle va avoir la permission d'emmener son chien avec elle pour entrer dans un espace public, prendre un autobus ou faire autre chose. Je pense que c'est un pas positif et quelque chose qu'on peut faire pour être capable d'assister ce monde.

Mais je vais encore dire, à travers ce débat, que c'est très important que nous autres retrouvions nos manches et regardions ce que nous pouvons faire, parce qu'il y a parfois des solutions à des problèmes qu'on pourrait faire ici à l'Assemblée qui ne coûtent pas d'argent. Par exemple, je pense qu'on a manqué une très bonne chance ici à l'Assemblée quand on a eu la loi 118 devant nous, où on a mis en place une loi pour assister les personnes avec une « handicap ». Je pense qu'il y a des affaires qu'on aurait pu faire qui auraient été vraiment extraordinaires pour aider la qualité de vie du monde qui n'aurait pas coûté d'argent, tel que j'ai annoncé un peu plus tôt en anglais.

L'autre partie du problème est qu'on a aussi besoin de regarder le support fiscal quand ça vient à la personne avec une « handicap ». On sait, par exemple, que si par malchance on a besoin de vivre sur une pension de « handicap » ici en l'Ontario, la vie n'est pas facile. On sait que l'argent qui est versé à ces individus mensuellement à travers le « Ontarians with disabilities support plan » n'est pas extraordinaire en vertu du montant. Moi, je le sais. Je rencontre beaucoup de monde, comme le font d'autres députés ici à l'Assemblée, dans notre communauté qui sont des personnes sur une pension de « handicap ». Écoute, il y a des choix pas mal difficiles à prendre : « Est-ce que je paie mon téléphone ce mois ou dois-je acheter un peu plus de groceries ? » C'est rendu à ce point-là parce les loyers ont augmenté. Notre programme a eu de grosses augmentations dans l'ODSP ça fait assez longtemps. Il y en a eu une l'année passée. Je pense que c'était la première dans environ 10 ans qu'on en a eue. Tout a augmenté en prix, et là ils se trouvent

dans une situation sur leur pension de se dire, « Comment est-ce que je peux y arriver à la fin du mois ? » C'est très difficile.

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Je pense toujours à M. et M<sup>me</sup> Pouliot, qui viennent régulièrement au bureau chez nous, au bureau du comté, et aussi quand je rends visite à l'Association for Community Living. Ce sont des membres très actifs. La première question est toujours, « Quand est-ce qu'on va voir une augmentation de notre pension ? On trouve ça très difficile. » Une des affaires qu'on a besoin de regarder, c'est comment indexer ces pensions d'une manière réelle pour qu'au moins des moins on soit capable de garder le pas avec l'inflation pour s'assurer que ce monde ne se trouve pas dans une situation où chaque année le montant d'argent qu'ils ont est de moindre en moindre à cause de l'inflation. Je dis au gouvernement qu'une chance de faire quelque chose, ce serait de regarder la question d'indexer les pensions de l'ODSP pour s'assurer qu'au moins, le monde garde le pas avec l'inflation.

L'autre chose que je pense est importante, et c'est un débat qu'on a présentement à l'Assemblée : on sait que notre caucus, le caucus NPD—mon chef, M. Hampton, nos critiques, M<sup>me</sup> Horwath et M<sup>me</sup> Martel—ont soulevé dans cette Assemblée à beaucoup de reprises la question de comment on traite les jeunes dans cette société, spécifiquement ceux qui souffrent d'autisme. Il y a la situation présentement où, si l'enfant a six ans ou moins, on peut aller lui chercher des services pour être capable de gérer un peu mieux la condition de la personne. J'ai eu l'occasion, justement dans les dernières quelques semaines, de visiter la ligne de piquetage CAS à Timmins, où il y a des travailleurs sociaux qui sont présentement en grève qui m'ont parlé un peu de la situation qu'on a à Timmins quand ça vient à donner des services aux personnes autistiques. Le problème est qu'après l'âge de six ans, le jeune perd ces services, et quand il perd les services, l'enfant commence à prendre un peu de recul sur le bien qui avait été fait avec l'intervention qui a besoin d'être faite pour aider ce jeune. Ce gouvernement, pour une raison ou une autre, dans les dernières années refuse d'accepter de faire quelque chose de positif. À la place, ce qu'ils ont fait c'est d'amener les parents en cour, ce que je ne comprends pas. J'aurais pensé que le gouvernement libéral aurait été un peu plus sensible envers ces enfants, et c'est un peu triste de se trouver dans cette situation.

The legislation that's being brought forward is definitely a progressive step. We know there are many people in our society who use assistive dogs to do everything from, as was pointed out earlier, dealing with identifying a seizure at its onset, to not only seeing-eye dogs but hearing-ear dogs etc., and they are highly trained and very well behaved. Every dog I've run across that is a working dog is very well trained, and you never have to worry about how they handle themselves. On a separate note, it's interesting that most of the dogs are Labs. There's something about the character of a Labrador retriever that is interesting.



I've got to take this occasion to talk about Misty, the dog at home. We've had Misty for about three years now. She's a black Lab-retriever cross. I've got to say that these animals always amaze me because of their intelligence. I swear to God that you can talk to our particular dog, and if she could talk too, she'd talk back to us because she knows exactly what we're saying. When my wife or I talk to our dog, it's basically in French, and people say, "How come you talk to your dog in French?" I say, "Well, it's a French dog. What else would I do? If I talked to the dog in Italian, it would be an Italian dog. My dog is French." And people always say, "How can it understand French?" and I say, "Well, we've always talked to it in French. Of course our dog understands French." But I'm digressing.

The point is that there are extreme—

**Hon. James J. Bradley (Minister of Tourism and Recreation):** Is your dog in French immersion?

**Mr. Bisson:** Not French immersion; it's just in French, period. Ours is a francophone household.

The point I make here is that the intelligence of these animals always amazes me. I've got to tell you this story. People are going to think I'm a little bit anal, but it's kind of funny. I don't like bombshells in my backyard. So the very first thing I did when we brought Misty home was to build a pen. The idea was to put a couple of patio stones down and cage them in a chain-link fence, and then say to the dog, "This is where the bombshells go." It took a little while, but the dog got trained, and that's the only place she'll go. You never have to worry about picking up bombshells in your backyard. The funny story is that the first winter we had her, I took her up to the cottage—we're out at Kamiskotia Lake—and the dog jumped out of the truck. She was a pup about eight or nine months old and was all excited. She's at the lake and jumping in the snow. All of a sudden, I see her in the yard. I see her prancing around in the yard at the cottage, looking for her chain link fence. She couldn't find it. So what did I do? I told my dog in French, without even pointing, "Dummy, go out on the lake." So my dog ran out on to the lake and that's where she did it. To this day, whether it's summertime or wintertime, whenever my dog has to go and do a little bombshell, she runs out into the lake. It's the funniest thing you've ever seen. If you ever come to the cottage and you see a dog in a lake, you'll know why. That's what the story is.

I digress. I know I'm a bit anal—

**Hon. Mr. Bradley:** I'll tell the Minister of the Environment.

**Mr. Bisson:** Hey, listen: Birds, fish, everything else goes there. What the heck. Anyway, I can't stop her now; she's well trained. What am I going to do?

Anyway, I digress in my debate. I just say to the member, congratulations for bringing the bill forward. We will be supporting this legislation, and hopefully we can see this bill getting third reading passage—if not this spring, next fall—in order to accept this particular bill as reality in the province of Ontario.

**The Deputy Speaker:** Mr. Martiniuk, you have two minutes to reply.

**Mr. Martiniuk:** I'd like to take this opportunity to thank my colleagues for their support: the members for Oak Ridges, Haliburton–Victoria–Brock, Haldimand–Norfolk–Brant, Stoney Creek, Thornhill, Niagara Falls and Timmins–James Bay.

There have been tremendous strides in the use of assistance, guide or service dogs—whatever terminology you wish to use—during the last few years, as I mentioned in my previous talk. The last of those innovations is the use of dogs with autistic children, but I am sure there many more innovations to be brought forth in the future. I am so pleased that everyone in this House has recognized the need, and I urge you to support this bill.

**The Deputy Speaker:** The time provided for private members' public business has expired.

#### MISSING PERSONS REPORTING ACT, 2005

#### LOI DE 2005 SUR LE SIGNALLEMENT DES PERSONNES DISPARUES

**The Deputy Speaker (Mr. Bruce Crozier):** We'll deal first with ballot item 71, standing in the name of Mr. Racco.

Is it the pleasure of the House that the motion carry? Carried.

**Mr. Mario G. Racco (Thornhill):** I would ask permission to have this bill brought to the standing committee on general government.

**The Deputy Speaker:** Mr. Racco has asked that the bill be sent to the standing committee on general government. Agreed? Agreed.

#### BLIND PERSONS' RIGHTS AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR LES DROITS DES AVEUGLES

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item 72, standing in the name of Mr. Martiniuk. Is it the pleasure of the House that the motion carry? Carried.

**Mr. Gerry Martiniuk (Cambridge):** I would ask that the bill be referred to the standing committee on general government.

**The Deputy Speaker:** The request has been made to have the bill referred to the standing committee on general government. Agreed? Agreed.

All matters relating private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1158 to 1330.*

## MEMBERS' STATEMENTS

## KIDS' FISHING DAY

**Mr. Jerry J. Ouellette (Oshawa):** I'd like to take this opportunity to thank all those involved in our fifth annual kids' fishing day at Heber Down Conservation Area. The event, which was rewarding and fun-filled for both children and adults alike, attracted over 1,000 participants to come out and enjoy the great outdoors. Through the support of many outdoor organizations, children were invited to participate at no charge in a day filled with many events, including MNR demonstrations, lure-making, fly-tying, a casting competition, and natural history.

CLOCA; Ducks Unlimited; John O'Toole's office; Kids, Cops and Canadian Tire; Muskies Canada; the Ontario Deerhound Association; Ontario Ministry of Natural Resources; the Ontario Sporting Dogs Association; Oshawa Community Health; Oshawa Teen Council; the YWCA; Pickering Rod and Gun Club; Durham Fly Tying; Port Perry BassMasters; Simcoe Hall Settlement House; South Central Ontario Big Game Association; and the Westmount Kiwanis, to name them all, all contributed time, effort and volunteers to the success of the event.

I would like to give a special thanks to each of those, as well as to Walter Oster of the Toronto Sportsmen's Show, who once again contributed rods and reels for the event, as well as thanking Angelo Viola of Fish'n Canada and Italo Labignan of Canadian Sportfishing for being on hand for the day's activities. As well, of course, I thank the parents and kids who showed up to make the event the success it was. It was a great opportunity for children who usually don't have a chance to learn about fishing and nature to have fun discovering the outdoors at the same time. They caught more fish this year than ever before.

Sandra Sweet of Oshawa's Settlement House said it best: "On behalf of the children, please express our deep appreciation to the many people who made this memorable experience possible. The children's accounts of how 'huge' their fish were leads me to believe that there is a 'fish story' in all of us just waiting to get out. Thanks for giving our kids an opportunity to tell theirs."

Remember, there are still hundreds of fish in the pond, and we would like to invite everyone out to attend next year's event.

## FABRY'S DISEASE

**Ms. Shelley Martel (Nickel Belt):** Today, people who suffer from Fabry's disease have come to Queen's Park to lobby the Minister of Health to finally cover the cost of their enzyme replacement therapy.

I first wrote to the Minister of Health on February 16, 2004, to ask the government to cover the cost of the treatment. I wrote on behalf of an Ottawa woman who had been told she would have to pay for treatment herself: \$12,500 per infusion, twice a month. I wrote four

more letters, the most recent on March 31, 2005, and have never received a reply. More people have come forward since that time to ask the government to cover the costs. More delay; no reply.

What's most distressing is that the Minister of Health promised patients that this treatment would be covered, and he has failed to deliver. On April 19, 2004, he met with Donna and John Strauss here at Queen's Park, and he told them he expected to have an answer by June on whether or not the ministry would fund the treatment. John died some weeks later. On July 3, 2004, the minister sent a sympathy note to Donna and said, "As you struggle to deal with such huge loss, I wish to assure you that I will make certain of coverage for Fabry's. Don't let any stories about the drug's slow approval add to concern about coverage."

That was almost a year ago. Again today, people who suffer from Fabry's are here at Queen's Park asking for help. They should not have to beg for payment for life-saving treatment. This intolerable situation has gone on long enough. This minister and this government should agree to pay for treatment and do it now.

## ITALIAN NATIONAL DAY

**Mr. Mike Colle (Eglinton-Lawrence):** Today over 500,000 Ontarians of Italian origin, and Italians all over the world, are celebrating the birth of the Republic of Italy. On June 2, 1946, Italy was born out of the ashes and turmoil of World War II into a vibrant, free and democratic nation.

Today in my riding of Eglinton-Lawrence, thousands of Ontarians will be coming to the Columbus Centre, which is the cultural, educational and recreational mecca for Italian Canadians. Today they will eat, sing, dance, reminisce about their homeland, celebrate what is called la Festa della Repubblica, and reflect on how lucky they are to be proudly Italian and fiercely Canadian. Whether they are in Pembroke or in Puglia, whether they are in Melbourne, Australia, or in Montreal, whether they're in Woodbridge, Windsor, Venice, Sicily or Sudbury, today Italian Canadians and Italians across this world, and especially in Italy, will be thanking the creation of this wonderful democracy that is home to so many vibrant people who will celebrate the birth of the republic today on Italian Republic Day.

## FABRY'S DISEASE

**Mr. Frank Klees (Oak Ridges):** Today, outside the east door of the Legislature, Rick Sgroi of Richmond Hill and Darren Nesbit of Sarnia, both sufferers of Fabry disease, are handing out information packages to MPPs. Mr. Nesbit wrote and delivered a letter to Health Minister George Smitherman today. It reads as follows:

"Dear Mr. Smitherman:

"I know your time is valuable. If I leave you with nothing else, I would like you to know:

"(1) Enzyme replacement therapy works. It is effective.



"(2) While ERT may be expensive, this should not detract from the fact that it is effective.

"(3) I understand that ERT is provided in Ontario for non-lethal Gaucher disease.... Fabry's is a lethal disease. Why is Ontario not willing to provide ERT for lethal cases of Fabry's?

"(4) I'm not ready to leave this world yet—I have too much to give. Just like the other Fabry's sufferers."

This government must reorder its priorities to ensure that the most vulnerable of our citizens receive the care they need to sustain their lives. I therefore urge members on the government side of this House to join with me and my colleagues in the Conservative caucus in supporting the funding of ERT for Fabry patients.

I have here the undertaking that these folks are asking MPPs to sign. It reads: "On my honour, I hereby undertake to sincerely use all of my abilities and best efforts to obtain full financing/bridge funding of ERT ... for all Fabry's patients in Ontario." I have signed it. I'm going to ask that it be passed along to every member of the Legislature for their signature.

#### FEDERAL-PROVINCIAL FISCAL POLICIES

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** Today our leader, Premier McGuinty, renewed this government's campaign to narrow the \$23-billion gap. This fiscal gap is real and exists despite the recent Ontario-federal agreement.

Progress was made in the negotiation of the five-year agreement when Ottawa agreed that Ontario should receive a per-capita share of all new funding for post-secondary education. Ontario's students and post-secondary institutions will benefit from an additional \$200 million in 2005-06, increasing to \$400 million in 2008-09 for a total investment of \$1.55 billion, but most of the monies flow after 2007-08 and expire after that.

We welcome our leadership role within Canada as a "have" province. We are proud to help pay for post-secondary education in places like Whitehorse and Moncton. But as our Premier reminded the audience at the Canadian Newspaper Association this morning in Ottawa, we believe this support should be confined to one accountable, transparent federal program, and that's equalization. We believe fairness dictates that equalization by stealth be ended. Federal cash transfers for post-secondary education, among other cash-starved sectors, should be funded on a per-capita basis.

This campaign is about strengthening post-secondary education in Ontario so we can fulfill our responsibility to the education and prosperity of all Canadians. This campaign is about a strong Ontario for a strong Canada.

#### GREENBELT

**Mr. Tim Hudak (Erie-Lincoln):** What we in the chamber have seen since the greenbelt legislation was passed is that it is nothing but a massive public relations exercise.

*Applause.*

**Mr. Hudak:** The minister applauds his absence of action, I guess.

It has done nothing to help greenbelt municipalities, it has done nothing to help greenbelt farmers continue to farm, and, because it is not based on science and has no plan to make it work, it is not going to be successful in preserving environmentally sensitive land. In fact, they've neglected to take any action to support the greenbelt. The city of Pickering and Durham region are in full rebellion against the greenbelt plan and the minister's leadership on this plan. Farmer Thomas Kuegler in Niagara-on-the-Lake wants to turn 22 acres of fallow land into grape production and has been prevented, because of the Greenbelt Act, from doing so.

The municipal funding formula has been a disaster for greenbelt municipalities like Niagara-on-the-Lake, St. Catharines, Thorold, Pelham, Grimsby and Lincoln. In fact, Lincoln Mayor Bill Hodgson says they've been double-whammied by the cuts in municipal funding to those communities and the Greenbelt Act.

I ask the minister to try to salvage some of the damage that has been done by a lack of action to support the greenbelt. Appoint a greenbelt advisory council. I ask him to do it in the next 20 minutes. Timing is everything in politics. As part of that, I also ask him to appoint advisory committees for the Niagara and Holland Marsh area specialty crops, as Bill 200, which I introduced as a private member's bill, calls on him to do.

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#### PIERCE DUNDYS

**Mr. Shafiq Qadri (Etobicoke North):** I rise today to pay tribute to a most extraordinary young man from my riding of Etobicoke North. He is here. Both the grandfather and the grandson are here, and I'd ask them to rise.

On December 15, 2003, five-year-old Pierce Dundys was sledding with his grandfather at Etobicoke's Esther Lorrie Park. Their sled hit a patch of ice and flung the pair almost 20 feet, breaking Pierce's grandfather's leg, leaving them both stranded and out of sight.

All alone, Pierce was left with no choice but to climb the icy hillside to seek help for his immobilized grandfather. Out of his grandfather's sight, he was forced to overcome his fear and seek strangers' help. No one would wish his or her children into such a position, but Pierce was left with no choice. Thanks to his grandson's bravery, an exemplary citizen of Etobicoke North, Peter Wood, the grandfather, was rushed to hospital and into surgery. As a physician, I can attest to the gravity and life-threatening nature of the injuries. Pierce's bravery has certainly saved his grandfather's life.

As I've mentioned, Pierce and his family are here with us today, and I'm certain all members will join me in congratulating our young hero on this exemplary behaviour.

## RIDING OF ANCASTER-DUNDAS- FLAMBOROUGH-ALDERSHOT

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** The feedback has been terrific. Our spring budget, together with government successes over the past 18 months, is clearly benefiting the citizens of my riding. Resources are flowing back into my local schools; the Best Start program for our early years, coupled with our ambitious \$6.2-billion investment in post-secondary education, has put Ontario education back on track. Just ask former Premiers Bob Rae and Bill Davis.

In Dundas, collaborative efforts are now underway that may soon result in a new family health care team coming to fruition.

Our agricultural sector has become one of my greatest passions. Minister Peters has not only talked the talk but also walked where I walk, literally, by coming into Lynden, Rockton, Ancaster and, most recently, the Pasuta farm on Campbellville Road. He comes to listen and advise and to learn from the excellent feedback he receives.

Our local business community is also to be commended for their hard work. As a former business owner, proprietor of the original Chapters bookstore in Waterdown, I make it my business to support their businesses. The new provincial small business advisory council will assist all businesses, including those in my community.

I want to acknowledge ADFA's greatest asset: our people. Next week the Waterdown Rotary Club will celebrate their 50th anniversary. I'm proud of the service that they and so many other service groups provide, day in and day out. What a wonderful testimony their service is to their commitment to build a stronger, healthier and more caring community. It is indeed these people putting service before self who are Ontario's greatest resource.

## BEEF FARMER AWARENESS DAY

**Mr. Lou Rinaldi (Northumberland):** I rise today to commemorate Beef Farmer Awareness Day and to congratulate the Ontario beef industry on their great work. I would like also to formally welcome members of the Ontario Cattlemen's Association to the Legislature. Today the Ontario Cattlemen's Association came to Queen's Park in order to thank the members of this chamber for their support of the beef industry through the years.

While I'm honoured by this gesture, I believe that the beef industry, which is comprised of approximately 21,000 farmers and their families, ought to be thanked by all Ontarians for providing us with top-quality, safe Ontario beef.

Since May 20, 2003, these 21,000 farmers and their families have been hit hard by the BSE crisis. While it has been a difficult time for the industry, they have been actively working with our government to alleviate the

immediate crisis and to look for solutions that will help us ensure a sustainable future for our beef industry.

These efforts have paid off. In the past two and a half years, our government has committed \$138.5 million in crisis relief. We have extended existing markets by investing in slaughter capacity and deadstock collection, and we are developing new, alternative markets.

Our government understands how vital the beef industry is to the well-being of our province. We will continue to work with them to make sure that all Ontario continues to have the pleasure of enjoying Ontario beef and Ontario corn-fed beef for years to come.

## INTRODUCTION OF BILLS

### SEXUAL HARASSMENT AWARENESS WEEK ACT, 2005

### LOI DE 2005 SUR LA SEMAINE DE LA SENSIBILISATION AU HARCÈLEMENT SEXUEL

Mr. Hoy moved first reading of the following bill:

Bill 207, An Act to proclaim Sexual Harassment Awareness Week / Projet de loi 207, Loi proclamant la Semaine de la sensibilisation au harcèlement sexuel.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. Pat Hoy (Chatham–Kent Essex):** If passed, Sexual Harassment Awareness Week would be proclaimed in memory of Theresa Vince, who was brutally murdered in Chatham by her workplace supervisor. For years, Theresa Vince was a victim of ongoing and persistent sexual harassment perpetrated by her supervisor. The first week of June has been chosen as Sexual Harassment Awareness Week because June 2 marks the anniversary of Theresa Vince's death.

The majority of women will experience sexual harassment at some point in their working lives. The objective of proclaiming Sexual Harassment Awareness Week is to raise and increase public awareness, to foster change in societal attitudes and behaviours surrounding sexual harassment, and to prevent other tragedies from occurring. Everyone has the right to full, equal and safe participation in the community.

### PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT (ASSISTANCE TO MUNICIPALITIES), 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN (AIDE AUX MUNICIPALITÉS)

Mr Yakabuski moved first reading of the following bill:



Bill 208, An Act to amend the Public Transportation and Highway Improvement Act with respect to the assistance that the Minister provides to municipalities / *Projet de loi 208, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun à l'égard de l'aide apportée aux municipalités par le ministre.*

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** It is with great pleasure that I introduce this bill today. This bill will, if passed by this Legislature, ensure that if the Minister of Transportation enters into an agreement with a municipality to provide a rebate of tax under the Gasoline Tax Act to any municipality for the purpose of constructing, maintaining or operating a rapid transit or public transit transportation system, the minister could not refuse to enter into an agreement to provide a rebate of tax under that act on the same per-capita basis to any other municipality for the purpose of constructing, maintaining, or operating public highways in that municipality.

The roads, the highways and the bridges in rural Ontario are our public transportation system, and it is only fair that if our tax dollars are being used to subsidize urban transportation systems, the travel needs of rural Ontarians should also be supported. I hope the members of this Legislature from all political parties will support this important bill, which I believe stands for fairness and recognizes the significant economic and cultural contributions made by those people who live in rural Ontario.

## MOTIONS

### HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. till 9:30 p.m. on Thursday, June 2, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** The government House leader has moved government notice of motion 379.

All those in favour, please rise one at a time and be recognized by the Clerk.

Barrett, Toby  
Bartolucci, Rick  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bradley, James J.  
Brotten, Laurel C.  
Bryant, Michael  
Cansfield, Donna H.  
Chambers, Mary Anne V.  
Colle, Mike  
Craiton, Kim  
Delaney, Bob  
Dhillon, Vic  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel  
Hoy, Pat  
Hudak, Tim  
Jeffrey, Linda  
Klees, Frank  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, Dave  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Munro, Julia  
Ouellette, Jerry J.  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra

Rinaldi, Lou  
Runciman, Robert W.  
Ruprecht, Tony  
Sandals, Liz  
Scott, Laurie  
Smith, Monique  
Smitherman, George  
Tascona, Joseph N.  
Tory, John  
Watson, Jim  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Yakabuski, John  
Zimmer, David

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

### Nays

Bisson, Gilles  
Horwath, Andrea

Kormos, Peter  
Marchese, Rosario

Martel, Shelley  
Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 55; the nays are 6.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### GREENBELT COUNCIL

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** When the Greenbelt Act, 2005, passed on February 24 of this year, historic legislation that will protect 1.8 million acres of green space around the Golden Horseshoe became law.

Ontario's greenbelt will preserve our watersheds, rivers and forests, protecting the water we drink and the air we breathe. It will promote recreation, sports and tourism by encouraging the development of a trail system, open spaces and parklands. It will protect thousands of acres of prime agricultural lands and tender fruit lands so that farmers can continue to grow the foods that we eat. It will also set strict limits on where urban boundaries can and cannot expand.

Today I'm proud to announce that the McGuinty government has taken the next step in its plan for the permanent protection of Ontario's greenbelt with the appointment of the Greenbelt Council. This council will provide invaluable advice and expertise on the administration of the greenbelt. The council will help guide our government on the implementation of the greenbelt plan and development of performance measures to monitor its effectiveness. It will also support our 10-year review and provide advice on any proposed amendments at that time to the greenbelt plan.

The nine members of the Greenbelt Council are experienced, knowledgeable and dedicated. They come from a variety of backgrounds and different ways of life,

### Ayes

Amott, Ted  
Arthurs, Wayne

Gerretsen, John  
Hardeman, Ernie

Qaadri, Shafiq  
Racco, Mario G.

but one thing they all share is a commitment to preserving the agricultural lands and the environmental areas within the greenbelt. I am honoured that such a group of distinguished and accomplished individuals has agreed to help us manage the greenbelt wisely.

I'm proud to announce that the chair of the Greenbelt Council is Dr. Robert Elgie. Dr. Elgie is a former MPP who held a number of cabinet posts, including community and social services and consumer and commercial relations, during the Davis government years. He was appointed a member of the Order of Canada in 2003, founded Dalhousie University's Health Law Institute, and just recently completed his term as chair of the Patented Medicine Prices Review Board. Dr. Elgie also served as a chair of the Workers' Compensation Board of Ontario for six years. His commitment to his community and dedication to serving Ontarians are truly remarkable. I am confident that he, along with the other eight dedicated members, will provide expert guidance as our government implements our greenbelt plan.

I will just quickly mention the other eight individuals who are on the council as well.

One of the eight individuals is Howie Herrema, who is a lifetime resident of Uxbridge. He has served on the Uxbridge township council since 2000 and has been a full-time farmer his entire life.

Donna Lailey has been a full-time grape grower in the Niagara-on-the-Lake area for over 20 years. She has previously served as a vice-chair of the Ontario Grape Growers Marketing Board, has served as a director of the Agricultural Research Institute of Ontario, and was at one time a Niagara Parks commissioner.

Dr. Virginia MacLaren is an associate professor in the department of geography at the University of Toronto, where she teaches environmental planning and environmental impact assessment.

Dr. John Middleton is a faculty member at the Centre for the Environment at Brock University. His focus is biodiversity conservation in the context of sustainable development.

Linda Pim is an environmental biologist who lives in the village of Inglewood in the town of Caledon. She has worked in the environmental policy field for over 25 years, both with the government of Ontario and with non-government organizations.

Russ Powell is a founding director of the Oak Ridges Moraine Foundation and currently sits as its chair. He served previously as the executive director of the Association of Conservation Authorities of Ontario.

Dr. Clay Switzer was raised on a farm in Middlesex county. He is a well-known professor at the University of Guelph and former dean of the Ontario Agricultural College. He was the deputy minister of the Ministry of Agriculture and Food during the 1980s.

Rebecca Wissenz, who is the past president of the Hamilton Chamber of Commerce, has been on the executive since the year 2000. She also sits as an elected member of the governing council of the Ontario Chamber

of Commerce and has worked with the Trillium Foundation.

I look forward to working with these nine individuals on our Greenbelt Council to build on the legacy that we have created for our children: a legacy of protecting green space, agricultural lands, environmental lands, and recreational and resource lands in the Golden Horseshoe. Working together, we will help ensure that our children will have parks to play in, clean air to breathe, fresh water to drink, and wholesome food to eat for many, many years to come.

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to respond to the minister and welcome the announcement of the greenbelt advisory council. Certainly Bob Elgie is somebody whom we admire, and we'll look forward to working with Dr. Elgie.

Bob Elgie, as a former cabinet minister in the Davis government, will know about the accomplishments of Progressive Conservatives in setting up the Niagara Escarpment Commission, for example. He'll know about our accomplishments as Progressive Conservatives in setting up the Bruce Trail system, linking Niagara-on-the-Lake all the way up to Tobermory. Dr. Elgie will know, under Mike Harris, about the biggest expansion in protected areas in the history of the entire country of Canada through Living Legacy. Dr. Elgie will know that when Progressive Conservatives bring in these initiatives, they do it based on good science and a plan to make sure it's successful. So we're encouraged to see some Conservative blood and sensibilities injected into what too much has been a greenbotch exercise instead of a greenbelt, and no doubt some strong individuals. We know many of these individuals. It might make the minister nervous. I know a number of these individuals personally. We're pleased to see them and look forward to working with them.

One aspect I would like to have seen: I think the minister knows that I brought forward Bill 200, my private member's bill, which would have guaranteed that at least half of the representatives on the advisory committee came from the agricultural sector. The minister has received a letter from the OFA, dated March 28, calling for exactly that. They say in the letter to the minister that because farmers are the largest group of landowners in the greenbelt area, a majority of members on the council should be farmers. I support that, and my private member's bill did. The minister does not hit that target with his council, and we hope to see that corrected. It is disappointing, I'll relate, from what I would expect would be the OFA's point of view, that they were not notified of today's announcement. There is no doubt they want this council to get moving, although they would have liked to have seen, as we would, a majority of representatives on the council.

I would also ask the minister to seriously consider the other aspects of Bill 200, which were to create a special Niagara advisory committee and one for the Holland Marsh area, the two specialty crop areas. Certainly, I



want to support regional chair Peter Partington in Niagara, who has already brought in his agricultural task force as their advisory committee. I would strongly advise the minister to do the same. I would like to see it in statute to guarantee that those committees do exist as well as for the other specialty crop area, the Holland Marsh.

I'd also like to add that, as the minister mentioned, Donna Lailey's vineyard of renown makes an outstanding wine. Her Canadian Oak, for example, is known throughout North America. I want to point out to the minister a bit of an irony here, though. In your own press release, you note that Donna Lailey's award-winning vineyard is 20 acres. Your greenbelt legislation and plan does not allow for a 20-acre farm to exist. Thomas Kuegler, a farmer in Niagara-on-the-Lake—I know my colleague has been working on this—wants to put a 22-acre parcel of land out of fallow use into productive grape production, and the greenbelt legislation prohibits him from doing that. You say that it's about protecting farmland, but your own plan and legislation does not allow Thomas Kuegler to move forward with putting that land into grape production. I think Donna Lailey is an outstanding individual, but I do note the irony to the minister that her farm is 20 acres, and you're prohibiting those types of farms in the greenbelt area.

There are other aspects. I do hope that Bob Elgie and the good people on the advisory council will prompt some action in bringing forward an agricultural support plan for the farmers. There is a bit of an arrogance to the government's statements that they are protecting all this farmland. The reality is, that farmland is protected by the hard work and the investment of the farmers across the greenbelt area. The minister needs to come forward with an agricultural support plan to support those farmers. Many greenbelt municipalities, the minister knows, will be frozen, their future growth frozen within the boundaries of the greenbelt area. We ask him to bring forward a support plan for those municipalities to ensure they can still remain vibrant communities, to invest in their infrastructure and to develop those communities. If he doesn't do so, I fear those communities will go backward. Certainly Mayor Bill Hodgson, the mayor of Lincoln, not known for blue stripes by far, is very upset with the cuts to funding to his municipality, with the greenbelt on top of that at the same time.

The other thing I'd add is that we want to see the science come forward in a public mechanism that has not come forward after months and months of these demands. Hopefully, this greenbelt advisory council, with Bob Elgie at the lead, will see progress on these very important issues.

1410

**Ms. Marilyn Churley (Toronto-Danforth):** First of all, I'd like to congratulate Dr. Elgie and all the others who were appointed to the advisory group today. They have a very important job ahead of them.

I'm going to point out some of the things I want them to take a look at right away, some of the questions that I've been raising—

### *Interjection.*

**Ms. Churley:** Linda Pim is on there, and I'm very happy to see that—a good addition. In fact, I think it's a pretty good advisory group overall.

I've been saying to the minister time and time again, and I'll say it again, that this new group has got its work cut out for it. You see, the New Democrats supported the greenbelt, as you well know, but with great reservations, because one of the problems is that it's a floating greenbelt; it is not a permanent greenbelt. I've raised this issue time and time again.

I'm going to bring up three examples today of the things that we're going to be asking this advisory committee to advise the minister on, and the environment minister and the cabinet in general on. One of them we heard about today. The minister talks about the greenbelt as the cornerstone of the new regional plan to stop urban sprawl. Well, as it turns out, nothing can be further from the truth. And one of them is south Simcoe. That's one of the issues I raised, that the leapfrog development has already started there, and the minister knows it. It's the Wild West of land development and land speculation now. As you know, there are developers going behind closed doors and making deals with the municipality to fund infrastructure costs. So you know it's happening there, that that leapfrog development is happening and will in fact increase urban sprawl and increase the air quality problems that we have, and all of the other problems—the loss of agricultural land.

Another issue that I want the advisory committee to look at right away—Minister, I don't know if you made it to the breakfast this morning put on by Environmental Defence and the Save Boyd Park folks. They gave a very nice pancake breakfast this morning and gave us some information. I've raised the Boyd Park issue, as did the member for Niagara in this House before. There is a proposal put forward to build a highway extension right through a provincially designated ANSI and enter a sensitive source water area. And this is when the ink isn't even dry on the greenbelt plan yet, and there's already a major highway slated to go right through the middle of one of the finest forests, if not the finest, in the whole GTA, and an area of natural and scientific interest to boot. So much for the greenbelt preserving environmentally sensitive land.

I understand that it's now in the Minister of the Environment's hands, but the problem is, Minister—and this is what the group was telling us this morning—these lands, and this is a good thing, have been included in the greenbelt. So why would you even be looking at terms of reference for an EA now when this Boyd Park land, sensitive land, is in the greenbelt? There shouldn't even be an EA on this. There are alternatives. These alternatives were pointed out to us today, and it should be just completely taken off the table. So we will be looking out for the new advisory committee to advise you forthwith on that so that you can remove the Boyd Park area completely from having a highway go through it, not even allowing an EA to go along with that and to look at the alternatives.

The other thing I wanted to raise once again, so that the advisory committee can take a look at it, is the Duffins-Rouge Agricultural Preserve. That's a third piece that I've been raising in this Legislature, time and time again. I've questioned the Chair of Management Board, the Minister of the Environment, the Minister of Natural Resources and the Minister of Municipal Affairs about this, that this land that was supposed to be saved forever as farmland is now being, down the road, because it's not a permanent greenbelt and can be moved any time and any place—you can take out a very sensitive piece of land in the south and replace it with some land in the north, and that is the concern about the Duffins-Rouge agricultural land.

We're hoping that this advisory group will take into consideration some of the very serious problems we're already seeing with this so-called greenbelt. We have a green island, not a greenbelt. It can move around at will, and the developers know it. Otherwise, why would they be out there buying up all this land?

#### VISITORS

**Mr. Shafiq Qaadri (Etobicoke North):** On a point of order, Mr. Speaker: With your indulgence, I would like to welcome members of CAIR-Canada, an Islamic association, who join us in the west gallery.

**The Speaker (Hon. Alvin Curling):** You know that's not a point of order.

#### ORAL QUESTIONS

##### ADOPTION DISCLOSURE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. We've been asking a series of questions, as the Premier will know, about the evolving adoption bill put forward by your government. In light of the fundamental privacy concerns raised by the privacy commissioner that remain unanswered, we know that there have also been serious legal and constitutional questions that have been raised.

A legal opinion prepared by the Attorney General's ministry—and I acknowledge it's one of several that have been prepared and shared with members of the committee looking into this matter—made reference to your government's bill possibly infringing on the rights of birth parents under the Charter of Rights and Freedoms.

Given this advice from your own in-house lawyers—at least at one point in time—stating that there are possible constitutional concerns with your government's bill, would you now agree to ask the minister or the Attorney General to refer this bill to the court for an independent legal opinion before the bill is passed and before the possible infringement on privacy rights?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To be very direct, to the leader of the official opposition: No, we will not do that. We have worked long and hard with all persons who have an interest in this particular issue.

Just so Ontarians better understand what we are talking about here: At present, there is no protection at all for birth parents or adoptees in the province of Ontario who are seeking to contact one another.

**Mr. Norman W. Sterling (Lanark–Carleton):** Sure there is.

**Hon. Mr. McGuinty:** There is not. The member opposite says, "Sure there is."

Just for the heck of it, today I entered into the advanced search system at Google the words "adoptees finding your birth parents in Ontario." It came back with 8,280 hits. Beyond that, there's an organization called Parent Finders of Canada. I found that at present they have 58,764 persons registered who are desperately trying to contact one another.

What our bill does, for the first time, is put in place a protection mechanism so that people can in fact register a non-contact request. That is something which is part of this bill that I hope the people of Ontario understand we're doing.

**Mr. Tory:** That's fine. What we've been asking you about is another group of people whom you don't seem to mention in your answers or take into consideration in your deliberations, namely those who have privacy rights.

I have acknowledged in my comments on this and in my questions that there are people you are trying to help. The principle of trying to help those people and to make it easier for them to find out more about their identities is something that I accept. I accept you're trying to do that, but there is another group of people out there whose privacy rights are being infringed by what you are trying to do, and you do not seem willing to acknowledge at all that there is a problem for those people, that they have rights that are worthy of protection and that there should be something done to address that.

Mr. Ruby, a lawyer representing someone who opposes this bill because of his own privacy concerns, was quoted in the Hamilton Spectator as saying, "We will challenge the constitutionality of the legislation unless a simple veto is part of it to preserve the privacy interest." Given that a legal challenge is a virtual certainty on behalf of Mr. Ruby and the client he represents, would you agree that there is a fundamental issue here of protecting people's privacy? As well as the one you talk about, which I have had the decency to acknowledge, will you agree that there is another issue that needs to be addressed and do something about addressing it? That's what we're asking.

**Hon. Mr. McGuinty:** As I indicated just a moment ago, birth parents and adoptees will have the right to register a no-contact notice. Unless the member opposite is aware of something which we are not, we have yet to learn of any breach of a similar kind of restriction



anywhere in the world. If he has some information that he'd like to bring to us, we would be delighted to receive it. If you breach a non-contact notice pursuant to this bill, should it become law, you can be fined up to \$50,000.

**Mr. Sterling:** That's a joke.

**Hon. Mr. McGuinty:** I think that's pretty significant. Maybe the member opposite doesn't think \$50,000 is a lot of money, but I happen to think it is.

Beyond that, we have also said that children's right to contact a birth parent is not an unqualified right, and for that reason you can make an application to the child and family services board to ensure that you are not contacted.

1420

**Mr. Tory:** The Premier in some respects misses the point in talking about the no-contact provision, because the point that these people are making—and I won't even deal with the more unusual cases, if we can call it that, but the more commonplace case of a woman who simply gave up a child for adoption many years ago who not only may not want to be contacted but doesn't want her personal information given out to somebody else. That is where, as the Premier knows, they have the perception, and I think it's the reality, that their privacy would be violated.

So I'm simply asking you to take into account, in formulating public policy, the concerns of the privacy commissioner, the concerns of people like Mr. Ruby, the concerns of many people, and, of course, most importantly, the concerns of this minority of people. I'm just trying to search for a way in which we can do this right by asking if you would submit the bill for an independent legal opinion. That's just a suggestion I'm making. I'm asking if you'll consider doing it. You've said no. I'll ask you one more time whether you would consider doing this.

**Hon. Mr. McGuinty:** Again, here's the reality. There are tens of thousands of people who are trying to contact either a birth parent or a child who was given up for adoption. That's happening at present. There is no protection for those children—none.

We are putting in place a provision which will enable either side to register a no-contact notice. We've said that if you breach a no-contact notice, you can be fined up to \$50,000. We've also said, beyond that, for example, if you are a birth parent and you don't want to disclose any information at all, you can make an application to the child and family services board. So while we attach a very high value to the right of a child to know about his or her background, we have said that it is not an unqualified right. We do recognize that there may be circumstances where parents should have a paramount right not to be contacted, not to disclose information of any kind. We've also made that provision within this bill. We think we've struck the right balance.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Tory:** Again to the Premier. The Premier talks about this board. We have been asking questions about this, and of course the minister is unable to answer those

questions as to who the board will be—well, we know who it is, but what the criteria will be surrounding their meetings and what not. All of the details, we're told, will be sorted out later on by regulation. But the one thing the minister has been clear in saying is that the case of a birth mother who gave up her child for adoption many years ago, having been told that that would be maintained as secret, and who now is confronted by this legislation would not be covered. It's the one thing she has been able to tell us: That person wouldn't be covered and be able to make an application in front of this board.

Earlier today, the Information and Privacy Commissioner's office issued a brief statement that I want to read from:

"Let it be clear that Commissioner Cavoukian has repeatedly stated that she opposes ... the absence of a disclosure veto which would allow birth parents or adoptees to say 'no' to the disclosure of their personal information.

"The inclusion of such a disclosure veto would make Bill 183 consistent with the rest of Canada by allowing some form of consent.... No other province or territory ... has completely abolished the privacy rights of birth parents and adoptees, because to do so would fly in the face of the charter."

Premier, how do you respond to these concerns registered by an officer of the Legislature, the privacy commissioner of Ontario, today?

**Hon. Mr. McGuinty:** To the Minister of Community and Social Services.

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** I am happy to address this. We have said from the beginning that we wanted the advice from the privacy commissioner, while we acknowledge that she does not have jurisdiction for this area. However, we wanted to hear that, and we believe we have been better informed because of it.

We've also heard from many offices' experts whom I hope you will also consider to be experts: the Ontario children's aid societies, the office of the advocate for children, our own Attorney General, who deal with the most horrendous cases.

While we feel we've struck a balance in terms of those extreme cases, the Leader of the Opposition is talking about cases where people want a right to privacy. On the other side of that argument is adults who have a right to information about who they are. It is a very difficult decision, one that governments historically have refused to make. We, on the other hand, believe we finally have to make a decision, and we are landing on the side of the right of an adult adoptee to have a right to who they are, to their medical information, because it can become available when they know where they come from. Those things, we believe, are important. Many, many people agree with this. I acknowledge that it may be difficult. We do have to make a decision, finally, and we have to do it in a balanced way.

**Mr. Tory:** The minister implies that in arriving at that decision in a balanced way, somehow we have to do something. I think other provinces have been faced with

exactly the same choice and have decided to make what would really be a balanced decision that finds a way to respect the rights of what you have said and, I agree, is a minority of the cases. I think you said in previous statements here that it's in 5% of the cases that a veto is actually used. If it's 6%, I'm sorry, but it's a small number. Somebody said it here, and let's assume it's correct. You find a way to respect those rights while at the same time extending the rights for the vast majority of those who are seeking to find out more about their identity.

The privacy commissioner, regardless of what her jurisdiction is, is an officer of this Legislature. I think she is entitled to have her views respected, as she is someone who is assigned the responsibility of protecting privacy. By ignoring her office, we run the real risk of infringing on people's rights. She also said today, "It is precisely minority rights such as these that the charter, through its enshrined right of equality, seeks to protect."

I'm not asking much here, given the Information and Privacy Commissioner's comments. I was simply asking today whether you might, as a means of trying to resolve this, refer this bill for an independent judicial opinion so that we can see what someone in that position has to say about this balancing of rights that we're all talking about. Will you do that?

**Hon. Ms. Papatello:** I think it's important that the Leader of the Opposition quote the balance of the comments that the privacy commissioner has made, and has made several times in writing to I think all members of this House, certainly to people involved in this issue in the past, which is, "This is ultimately a social policy decision that must be made by the government." That is very clear. That is extremely important to note. We heed the advice, often, and we seek the advice of this office because it is an expert office on matters of privacy. It is also an expert office in the area of information.

But you have to look at the other side: at every birth mother who is somewhat fearful of the idea of what they may find out or that someone may find them. Today they have no protection, and they will, with our bill. Secondly, there is the child, as an adult, who has the right to that information.

**Mr. Tory:** We're talking back and forth about the two groups. You talk about the one; I talk about the other. The decision is not one made by the government, ultimately; it's one made by the Legislature.

The privacy commissioner, an officer of the Legislature—I'm quite happy to have read into the record every word she said—has correctly pointed out that your adoption legislation, as it now stands, is the only legislation in Canada that is worded the way it is when it comes to the issue of privacy. We've raised a number of examples, letters from people desperately afraid of this information coming into the public domain. These range all the way, as you know, from victims of sexual abuse to the more commonplace cases that we've referred to today.

I ask you one more time: Do the right thing. It's one suggestion I'm trying to make: Get an opinion from

somebody who's independent with respect to the constitutionality of this. Won't you do this? I ask you one more time to agree to do it.

**Hon. Ms. Papatello:** I think it's important to say publicly, as I have said to the Leader of the Opposition, what we are intending to do in regulation. If you would like to see this as an amendment so that you would know what we will be doing in regulation, so that we would deal with these extreme cases on both sides, I am perfectly prepared to do that. But I also have to say to the Leader of the Opposition that I understand that you have a split caucus on this issue, but your own House leader has tabled an amendment that would suggest that you would have a disclosure veto on all crown wards. So let's be clear on what that means: Most of the 250,000 adoption records in Ontario are made through children's aid—which are then made crown wards.

What you say as the Leader of the Opposition is not what your House leader is tabling for debate at the House leaders' meetings. You need to be clear, and we need to know where you are and how you might vote on our bill.

#### ONTARIO FARMERS

**Mr. Howard Hampton (Kenora-Rainy River):** I have a question for the Premier. The Ontario Cattlemen's Association is here today to remind your government of the serious impact the closed American border continues to have on Ontario's livestock farmers and their communities. Yet your recent budget offered no long-term plan for cattle and livestock farmers, and no commitment to provide matching provincial funding for the \$180 million the federal government has provided for Ontario's cattle and livestock producers. In fact, your budget cuts the Ministry of Agriculture's capacity by \$169 million. Premier, the federal government is assisting Ontario's livestock and beef producers. When will the McGuinty government provide your \$180 million of matching funding?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Minister of Agriculture is going to want to speak to this, but let me say at the outset that we're proud of the assistance we have provided to our farmers. We're particularly proud of the assistance we've provided to our beef farmers. I personally have raised the issue with the US ambassador to Canada. I have travelled to Washington to speak to this issue on a couple of occasions. We are so strongly committed to our farmers that, notwithstanding that we had a budget last year of \$549 million, we in fact came up with an additional \$638 million in one-time assistance.

As I say, the Minister of Agriculture has more detail, but what I want to say to Ontario farmers is that we've been there in the past in times of need and we will be there in the future in times of need.

1430

**Mr. Hampton:** Premier, you're so committed to Ontario's farmers that you actually boast about the \$169-million cut in your budget, on page 29. Here it is:



"Spending Held in Check—15 Ministries' Operating Budgets Flatlined" or cut. Then you look at the Ministry of Agriculture and Food, and it was cut by 23% or \$169 million. That's how committed the McGuinty government is.

It's not just the livestock sector. The commodity prices and commodity sector are also depressed. In fact, the grain and oilseed farmers are saying they need an investment strategy of \$300 million just to see them through this year. Premier, when are you going to come forward with a long-term plan and show some real commitment to Ontario's farmers?

**Hon. Mr. McGuinty:** I just don't understand how the leader of the NDP can continue to maintain what he knows in his heart of hearts is simply not factual. The budget has gone from \$549 million last year to \$564 million this year. If he would like a briefing with somebody over at finance or somebody over at the Ministry of Agriculture, we'll be delighted to provide him with that opportunity so that we can make it perfectly clear to him what Ontario farmers know, that in addition to providing \$130 million in special assistance to help farmers who've been struggling with the BSE issue, we also found an additional \$79 million for our grain and oilseed producers.

Again, what I say to Ontario farmers is that we have been there in the past with special assistance and we will continue to be there in the future should we be called upon to help.

**Mr. Hampton:** Premier, I'm going to send a copy of your own budget across to you. On page 29, you actually boast that 15 ministries have had their budgets cut or flatlined. Then you look at the Ministry of Agriculture and Food—2004-05, \$733 million; 2005-06, \$564 million. It's your budget, Premier; you ought to read it. Then it says beside that that there was a 23% cut. Let me tell you, that shows some dedication to Ontario's farmers.

Premier, you were the one who promised during the election two years ago that the Ministry of Agriculture would become a lead ministry and that you would not do the kinds of things the former Conservative government did—and then there's the 23% cut. I ask again, Premier: When are you going to start making the long-term investments Ontario farmers need instead of cutting \$169 million out of their budget?

**Hon. Mr. McGuinty:** This is fascinating fiction, but the truth, again, is that we've increased the budget for agriculture in Ontario. The last real cut that took place to the Ministry of Agriculture was effected by the Conservative government. There was a real cut of over \$100 million. The time before that, when the NDP were in power, there was a real cut of \$132 million.

We set out at the beginning of the year with a \$549-million budget. We came up with an additional \$630 million in special supports. This year, we've enhanced last year's budget to \$564 million.

The member opposite may not know it, but I can tell you that Ontario farmers know it: If they need our help, we are there for them.

## HYDRO ONE LABOUR DISPUTE

**Mr. Howard Hampton (Kenora-Rainy River):** Premier, I'll send you over a page out of your own budget. You can see for yourself that you're boasting about a \$169-million cut to the Ministry of Agriculture.

I want to ask you about the Society of Energy Professionals, the engineers, the systems planners and maintenance schedulers who keep the lights on in Ontario. For the first time in 60 years, they're off the job now. Yesterday some 200 workers were forced out of Hydro One's Barrie transmission operation centre. Today we learned that another 800 could be off the job by Monday. Your fellow over at Hydro One, the \$1.2-million man, Tom Parkinson, wants these workers to take an 11% pay cut. Premier, do you support the hard-line bargaining position of your \$1.2-million man at Hydro One?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** To put the pretext of the question into some context, the reason there was never a work action like this in the past is because it was the NDP government that gave them this ability to be in that place in the first instance. Second of all, there are negotiations going on between the employer and the employees. I would suggest that the place to resolve these disputes is at the bargaining table, not on the floor of this Legislature.

That member's history, of course, is to go in and open up collective agreements and strip them. He very much has been advocating that we politically respond to this situation. I, of course, won't do that because, unlike the member opposite, I believe in free and open collective bargaining and the processes as defined in the relevant legislation that governs those practices in Ontario.

**Mr. Hampton:** I think it speaks for itself. For the first time in 60 years, for these people who keep the electricity on and the lights on in Ontario, the McGuinty government has succeeded in pushing them out the door. That's quite an accomplishment.

You are the sole shareholder, Premier, in Hydro One, and it appears as if you've endorsed this hard-line bargaining tactic of your \$1.2-million man, Mr. Parkinson. The reality for Ontarians, however, especially in the greater Toronto area, is that the transmission system is already very stressed. As the temperature gets hotter every day, it will become more stressed, which means there are some risks here for people's electricity supply. I want to ask the Premier: What's your plan to keep the lights on and what's your plan to resolve this labour dispute created by your \$1.2-million man?

**Hon. Mr. Duncan:** The board of directors of Hydro One, including the former Premier of Ontario, Mr. Rae, have laid out an entire contingency plan in the event of a strike. My hope is, there won't be a strike. The member opposite suggested some weeks ago that the employees would be locked out. That in fact never came to pass.

I would say this: My hope is that they will stay at the bargaining table. My hope is that there will not be a strike action, as the union indicated earlier today. In the event of a strike, there is a contingency plan to maintain full operations, and that contingency plan has been adopted and approved by the board of directors of Hydro One.

**Mr. Hampton:** What we saw at the Barrie transmission centre last week, when your executive management took over and pushed the engineers out the door, was a pretty serious blip in Ontario's electricity supply: 2,000 megawatts were lost in the transmission system. People may have noticed that at their computer. I can tell you, a lot of paper mills and some chemical plants noticed it because they lost production.

Is this what the McGuinty government calls a good plan while your \$1.2-million man tries his hard-line bargaining tactics? Is this what you call ensuring that the electricity stays on and the lights stay on, Minister: a 2,000-megawatt loss of electricity in the first day that you take over?

1440

**Hon. Mr. Duncan:** Even the society, Jim MacDonald, said two days ago right here, "I'm not willing to go so far as to say that it would have been avoided if we were there, because I believe that's an overstatement." I suggest that the member opposite tone down the overstatements.

Let's tell you what else Mr. Hampton said about these workers. Here's what he said right outside on March 31: "These people aren't concerned with providing a service to the people of Ontario. They are concerned about their own salaries." That's what he had to say in response to the salary disclosure.

I'll remind the member opposite that close to 50% of the workers who are going out on strike are in the \$100,000-plus club. We believe in free collective bargaining. We believe in their right to bargain with the employer. We won't insult them because of the amount of money they make, as you have done very publicly here. I'd urge you to tone down the rhetoric, get your facts straight and start to believe in free and open collective bargaining.

#### TEACHERS' CONTRACTS

**Mr. Frank Klees (Oak Ridges):** To the Premier: Earlier today, your Minister of Education made an announcement and an admission that his negotiation strategy failed with some 27 school boards. Thousands of students today are experiencing escalating work-to-rule: track meets are being cancelled, graduation ceremonies are being jeopardized, report cards will be incomplete. After billions of dollars of announcements on education, and after your pronouncement and your minister's pronouncement of peace and stability, how can you justify thousands of students being subject to increased work-to-rule in this province?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I'm very pleased and proud to

announce that 80% of all contracts have now been finalized, covering 90% of Ontario students. In those contracts, we're talking about four years of peace and stability with improvements to the numbers of teachers, the availability of teachers to students, the number of specialty teachers and librarians, with a special focus on literacy, numeracy, arts, phys ed and music, so we've gone a long way toward achieving our goal. We think that is something worth celebrating.

Contrast that with, under the Tory regime, the 24 million lost learning days for Ontario children and the 430,000 high school students who were deprived of an entire year of extracurricular activity.

*Applause.*

**Mr. Klees:** I notice that some of the Liberal members were not applauding the Premier. It's probably because—

*Applause.*

*Interjection.*

**The Speaker (Hon. Alvin Curling):** If I depended on Mr. Phillips, we'd have order all the time. Supplementarily.

**Mr. Klees:** I'm glad I gave the members an opportunity to redeem themselves in time for the next cabinet shuffle, which I understand is imminent. What I was referring to were those members who would represent students who belong to the Algoma district, the Avon Maitland District School Board, Bluewater, Halton, Kawartha Pine Ridge, Lakehead, Limestone, Renfrew, Thames Valley and the other 18 boards. These are boards that have been suspended. It's easy for the Premier to speak about those boards that indeed did comply, but after billions of dollars of investment, I ask the Premier, what do you say to the students and to the parents in those boards that are experiencing anything but peace and stability today?

**Hon. Mr. McGuinty:** Again, I think it is a significant accomplishment—and not to take away from the legitimacy of the question the member is raising, because I do feel for those parents and I particularly feel for those students in those boards where we have not yet found success, and we continue to work in that regard.

But I do want to say that we have reached 95 agreements. Eighteen more are still in the process of being negotiated, and it is true that we have special challenges in nine particular boards. We are continuing to work with those boards, and I urge everybody involved, on all sides, not to lose sight of the interest of our students. I urge them to get back to the bargaining table and to understand that, first and foremost, our shared responsibility is to advance the interests of our children through a strong public education system.

#### SERVICES FOR DISABLED CHILDREN

**Ms. Andrea Horwath (Hamilton East):** My question is for the Premier. The Ombudsman's report shows that hundreds of Ontario families are stuck "Between a Rock and a Hard Place," losing custody of their disabled children to children's aid societies because they can't



afford or can't access the proper care they need, or maybe both.

Yesterday, you finally acknowledged that these families were wronged, but, when asked for an apology, you refused to give one. You said, "If we determine that that is the right thing to do," it would be done right here in the Legislature. Now is your opportunity, Premier. Will you stand in this Legislature today and apologize to the families that you have wronged?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** We're doing one heck of a lot more than just that. We're moving as quickly as we can to reunite these families. I would think that if you had the opportunity to speak with parents who have been affected by these circumstances, the thing they would want us to do most of all is to move as expeditiously as we can, as reasonably quickly as we can, to reunite those families, and that is what we are doing.

**Ms. Horwath:** If the government had only listened to the parents while they were trying to speak to them over the last couple of weeks, we wouldn't be in the situation we're in.

Nonetheless, Anne Larcade, the mother who is leading the class-action lawsuit, says, "It will give comfort to some of the families, but it is overdue.... I want to see it translated into action." That is her comment about the possibility—which she didn't get today—of an apology.

Her lawyer, Douglas Elliott, says you're giving mixed messages by expressing concern for the parents on the one hand, while on the other, you're dragging them through the courts.

Will you apologize today and then back up your apology with the services that these families need and are still—still—waiting for?

**Hon. Mr. McGuinty:** I know that Minister Bountrogianni is doing everything she possibly can. We have in fact filed, as of yesterday, a 10-step plan before the courts. We are hoping that the matter before the courts can be resolved as soon as possible so we can proceed with our plan.

This issue has been outstanding for a number of years. Our government has finally done the right thing, has chosen to do the right thing, has made the commitments, and in fact has gone so far as to file a specific plan with the courts. We look forward to acting on that as soon as we possibly can.

#### BEEF AND LIVESTOCK PRODUCERS

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** My question is for the Minister of Agriculture and Food. Today on the front lawn of the Legislature, the Ontario Cattlemen's Association hosted a barbecue. MPPs and staff had the great opportunity to feast on Texas-style barbecue. Minister, it sure wasn't Texas beef. We know by the taste that we were served real Ontario corn-fed beef.

Not only was it a great meal, but we also had the opportunity to hear the concerns of the livestock industry

as they continue to face the US border closure as a result of BSE. This barbecue was brought to Queen's Park today to raise awareness and remind all of us that the BSE crisis is not over.

Minister, what role has our government played in assisting our 21,000 farmers and their families?

**1450**

**Hon. Steve Peters (Minister of Agriculture and Food):** I would like to take this opportunity as well to welcome Ian McKillop and all the members of the Ontario Cattlemen's Association who are here today. I want to thank all those individuals who were here today to support this great barbecue and that great Ontario corn-fed beef.

We recognize that there are legal challenges taking place in the United States by a small group of protectionist forces. Certainly we have been doing our part. The Premier has been to the table as well. Every time we have had the opportunity to advocate on behalf not only of Ontario farmers but Canadian farmers, we have been there doing that with our American counterparts. We have made sure that we've included agricultural leaders on delegations that we've taken to the United States, including having the Ontario Cattlemen's Association represented with us in Washington as well.

We have been there not only for short-term immediate assistance, because we recognize the challenges that the industry faces, but we're also making strategic investments in the long term. That's where the answer is going to be, and I look forward to talking more about the long-term—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary.

**Mr. Lalonde:** I know that the cattlemen's association appreciates our support, as we appreciate the ongoing difficult time they have been dealing with.

Minister, we understand that the present legal process in the American court system is preventing the reopening of the border. Can you please tell the House what our government is doing to address the long-term issues of the industry as a result of the BSE crisis and also what we are doing to support the future of the industry?

**Hon. Mr. Peters:** We are looking to the long term. As I said in my previous response, we have been there for short-term assistance, and, as the Premier reiterated earlier in a question, we will be there in the future.

At the same time, we recognize that we have to look forward and move ahead. We have invested in slaughter capacity: over \$7 million. When that capacity is ramped up we will be slaughtering an additional 2,000 animals a week in this province. We have invested in the Elora beef research station to look at the long term, and I want to thank my colleague in the Ministry of Public Infrastructure and Renewal for recognizing the importance there. We are investing in alternative energy—brown energy, as I like to call it—an investment of \$1.6 million in anaerobic digestion, because we recognize that agriculture can be part of the solution to many of the challenges we face.

We have been there in the past and we'll be there in the future, but we can't do it alone in Ontario. We need to work together with the federal government; we need a national strategy for this national issue that's facing us.

### FABRY'S DISEASE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. Today in the gallery we have people who suffer from Fabry's disease, their families and their friends. I know that you met today with one of these individuals, Darren Nesbit. Regrettably, you offered him no hope and no resolution and no treatment for Fabry's disease. However, I do understand that Dr. Couillard, the Minister of Health from Quebec, at the request of all the Ministers of Health, has provided you with the research protocol to treat Fabry patients and collect data while they are in treatment. I ask you today, Minister, will you follow through on the written commitment that you made to Donna Strauss last July and do the right thing today and put into place this protocol?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** A few points, I think, which are salient.

First, I did enjoy the opportunity to meet with Darren Nesbit today, who came from Sarnia, and I had a chance to say hi to some of the other people who are here related to the issue, most of whom I have had a chance to meet with previously.

It's an issue we've had a chance to debate on the floor of this House before, and the member will know of my position with respect to the Common Drug Review as the tool that has been developed in our country so far and the honourable member's very involvement in its formation. Recognizing, of course, that the Common Drug Review has said that the product is not one that meets the important efficacy tests we look to, our own Drug Quality and Therapeutics Committee will review the decision of the Common Drug Review, and that is something that's ongoing.

You referenced the work of Dr. Couillard. This is something that was made possible through our recent provincial and territorial meeting of Ministers of Health, where we collectively tasked Minister Couillard to work toward a resolution with the federal government that will see a procedure for orphaned drugs. We are working together toward an FPT meeting in September, and I continue to commit to Darren, as I did, that he and I have begun a conversation that we will work together. It's my hope that we're going to be able to make some progress on this issue by working together.

**Mrs. Witmer:** I would remind the minister that when I asked the question about Darren about four or five weeks ago, he said he was going to follow up. He has yet done no follow-up. I would also remind the minister that the people in the gallery today no longer have access to treatment for Fabry's disease—it has been discontinued by the hospitals in Ontario—and their quality of life is continuing to deteriorate day-to-day.

Minister, I don't know why you continue to hide behind a scientific evaluation process that you know yourself, and others ministers in BC and Alberta have acknowledged, is inappropriate for an orphan disease and an orphan drug. When are you going to take action, as other ministers have done in other provinces, and provide bridging financial support for these individuals who face premature death if they do not have treatment?

**Hon. Mr. Smitherman:** Regrettably, one minute does not allow me to address all of the inaccuracies in the honourable member's question; there were several. But I would want to point out to the honourable member that there is evidence of the work that we're doing nationally with other provincial ministries. Philippe Couillard's evidence is just one piece of the puzzle as we do seek to enhance the quality of our capacity to review orphan drugs as they become referred.

It is our obligation on this side of the House—and the honourable member exercised these responsibilities at one time but seems to have forgotten—that a Minister of Health must depend on some scientific basis that determines the clinical efficacy of a product.

Obviously, in my meeting with Darren, he made very, very certain to apprise me of his view that this was a treatment that was very essential to him. That was not lost on me. I enjoyed the opportunity to meet with him. I committed to continue to work alongside him and others, to be in conversation with him, a conversation that has begun today.

I will continue to work with my provincial, territorial and federal colleagues to help to develop an orphan drug strategy in our country that recognizes the particular challenges with drugs that offer hope and assistance to very, very small numbers of people. This does challenge the clinical efficacy standard, but we will not rest—

**The Speaker (Hon. Alvin Curling):** Thank you.

### REFINERY CLOSURE

**Ms. Shelley Martel (Nickel Belt):** I have a question to the Premier. Last Thursday night the council of the city of Greater Sudbury passed a resolution requesting that the province prohibit unrefined copper from being sent out of the city for processing. In light of this unanimous decision by council, will you now intervene and tell Inco they'll have to continue to refine copper in our community?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Northern Development and Mines.

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** I should tell the member opposite that the position of the government is very clear: We will not interfere in the business decisions of Inco or any other company. We do that after weighing all the options open to us. We have to make our decisions with the best interests of the workers, the best interests of the company, the best interests of the community and the best interests of the industry in mind. We believe that that



best interest is best served if we keep our hands out of the business decisions of any company.

**Ms. Martel:** I have a supplementary for the Premier. I'm interested in what's in the best interests of the community, and the best interests of the community are to keep 160 jobs at the refinery and keep refining this raw copper in our community.

City council was very clear. Their resolution states the following:

(1) The closure of the 75-year-old copper refinery will have a profound and ongoing effect on the Greater Sudbury community.

(2) The magnitude of spinoff job losses are significant to the economy of Greater Sudbury.

(3) The demolition of the refinery will weaken the city's assessment base by up to \$12.7 million so that the community will be left to bear, on an annual basis, a significant loss in tax revenue.

The resolution by council is very clear. Council wants you to stop Inco from sending raw copper to Quebec. I ask you again, Premier, will you do what is in the best interests of the community and stop this from going forward?

1500

**Hon. Mr. Bartolucci:** The best interests of this community are best served by ensuring that we allow business to make decisions. The fact of the matter is, there is no job loss from the closing of this refinery. The fact of the matter is that over the course of the last 16 months, Inco has hired 287 unionized workers at Local 6500. At staff level, they've hired 20 Local 2020 union workers, for a total of 81 hires at the staff level. The fact of the matter is, if we interfere with the business decisions of Inco, there is a job loss potential of between 300 and 500 jobs. We will always act in the best interests of the community—

*Interjection.*

**The Speaker (Hon. Alvin Curling):** Order, the member from Nickel Belt.

Minister, wrap up in 10 seconds, please.

**Hon. Mr. Bartolucci:** We will always act in the best interests of the community, the workers, the company and the—

*Interjection.*

**The Speaker:** Member from Nickel Belt, order.

Yesterday, they had an extensive debate about the decorum of the House. I can't believe that the same members are just acting in this awful manner still, when—

*Interjections.*

**The Speaker:** Order. The only way the House can conduct itself in a proper manner is to get the full cooperation of members. When I call members to order, I expect them to come to order. If not, they have to leave the chamber.

New question.

## MICROBREWERIES

**Mr. Kevin Daniel Flynn (Oakville):** My question today is for the Minister of Economic Development and Trade, and it's about Ontario beer. Minister, today you announced a \$5-million investment in Ontario's microbreweries. Many people don't realize the economic impact that microbreweries have on the Ontario economy. But as an industry, they face a number of challenges: The market is constantly changing, there are huge multinational breweries competing with them, and they face pressure to stay competitive while retaining the aspects that make their brand unique.

Minister, can you tell the House how the investment you announced today will help microbreweries deal with the challenges that they face?

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** I'd like to thank the member for the question. The McGuinty government is investing \$5 million over five years to help small brewers across this province be more successful in a very competitive marketplace. The funding is targeted toward specific areas: research and benchmarking; marketing funds for branding, advertising and promotions; and training and education, including quality and innovation.

Like Ontario wineries, small brewers form a very unique niche. They're homegrown companies that reside right here in Ontario. We feel that the brewers' growth strategy will result in world-class brewing standards here in Ontario, a culture of brewing excellence and award-winning beers. That's why we're happy to support them.

**Mr. Flynn:** That's wonderful news. My own riding of Oakville has three microbreweries: Cameron's, Trafalgar brewery and Black Oak Brewing. My question today is about Black Oak Brewing. They've established a unique brewing process, which results in a one-of-a-kind flavour. They have many fantastic products: Black Oak Pale Ale and Black Oak Nut Brown. One of the problems they have, like all microbreweries, is getting their product out to a wider market. Also, like other microbreweries, Black Oak is a small business, and as we know, small businesses are responsible for 50% of all the jobs in our province. Making sure these businesses thrive is vital to Ontario's long-term economic success.

Minister, can you please explain how this investment will benefit not only my riding of Oakville but the entire province's economy?

**Hon. Mr. Cordiano:** As it stands, Ontario craft brewers employ about 600 people today. We want to ensure that there are an additional 1,000 jobs created in this sector, and we'll bring it up to 1,600 high-quality jobs. I need to underline that, because this is important. Our strategy is all about investing in small business and helping small business to grow and expand in this province.

It's also going to bring tremendous spinoff benefits in terms of the tourist sector, because many of these small craft breweries attract tourists to their region, right across the province. That helps create additional jobs in every

region of this province, and that's why we are happy to support the small craft brewers in this province.

#### BEEF AND LIVESTOCK PRODUCERS

**Mr. Ernie Hardeman (Oxford):** My question is to the Minister of Agriculture and Food. At noon we all enjoyed a great barbecue, thanks to the Ontario Cattle-men's Association. I want to personally thank them for coming here, when we all know that the Ontario beef industry, with almost 21,000 farmers and their families, has suffered a tremendous financial loss since the BSE crisis in May 2003. I want to thank the minister for helping serve the great beef, which was produced and processed in Oxford county.

This industry has lost over \$624 million, and the money they got from the McGuinty Liberals last year doesn't even come close to helping these farmers. Your budget, passed just last week, suggests that you don't believe any further support is required this year. Minister, would you tell those hard-working beef producers how they can expect to meet their financial obligations and when they are going to get the support that you and the Premier have promised?

**Hon. Steve Peters (Minister of Agriculture and Food):** I thank the member for the question. I'm pleased that he was out there, too. His leader was there as well, serving some beef. It's very important that we do everything we can to promote Ontario product. That Ontario corn-fed that we ate today is probably the finest beef that you're going to find anywhere in Canada. Make sure that when you go to the grocery store, you ask for that Ontario corn-fed. If it's not there, ask why it's not there.

We have been there to support farmers. Last year alone, direct provincial assistance in support for farmers in this province was \$377 million. We recognize that there are challenges and there will be continuing challenges. That's why we've been there in the short term, and we will be there in the long term, as the Premier said earlier. We recognize the importance of this industry. That's why we're working so diligently to look to the long term. We're investing in slaughter and trying to find new markets, because we have to work to get away from reliance on the US market.

**Mr. Hardeman:** When farmers suffer, the spinoff industries that supply farmers suffer, the processing industry that adds value to agriculture products suffers and our whole rural community suffers. The borders are still closed to live cattle, and beef farmers are still suffering extreme financial hardship.

Premier McGuinty months ago committed to helping farmers, and they finally got a meeting with you, Minister, in the past few weeks, where you once again promised help. If your government is so serious about helping farmers, it would be logical to assume that your budget would have reflected that financial commitment. It doesn't. Is this just another Liberal broken promise? When can farmers expect the financial support that you and the Premier keep promising them?

**Hon. Mr. Peters:** It surprises me that a former Minister of Agriculture does not realize that within that \$549-million budget last year—it's \$564 million this year—there is a safety net component built in. I would have thought that a former minister would have known that that is there.

When there are exceptional circumstances that our farmers face, and there are ongoing challenges, we will be there. The Premier has said that. We have been there to support our farmers. I think we recognized and demonstrated that very clearly last year with unprecedented support for our industry.

But it's not just the short term; it is the long term. That's why we have made strategic investments in slaughter capacity. That's why we're making an investment of \$25 million to support our meat industry and our further processing industry, to make sure that not only do we have safe, healthy and nutritious food, but we have food that's going to be marketable not only to Ontarians and Canadians but to the world.

1510

#### OMERS PENSION FUND

**Mr. Howard Hampton (Kenora-Rainy River):** To the Minister of Municipal Affairs: Yesterday you said that the OMERS governance legislation that you introduced was based on the proposed OMERS board model of 2002. Then you stated that the model was overwhelmingly endorsed by employer and employee groups. In fact, many employee groups—CUPE, police, fire, CAW, OSSTF, OPSEU and retirees—rejected the 2002 model. In fact, 85% of employee groups rejected your proposed governance model when it was presented in 2002, and many employer groups, including AMO, had reservations as well.

Minister, this is very important legislation. It's important that you get it right. Will you commit that, as it goes forward from here, you will consider other governance models and that all stakeholders will be listened to?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Let me first of all say that we're very proud of the legislation we introduced here yesterday. We're the first government in 10 to 15 years to actually deal with the issue of OMERS autonomy. This is something that has been endorsed by everyone around the House, including the member opposite, who as a matter of fact stated on November 26, 2002, that the New Democratic Party fully supported OMERS autonomy. That is the principal thing we're trying to accomplish with this bill. We have also included in the bill a dispute resolution mechanism that is similar to the Ontario teachers' plan model. That's also been endorsed by everyone.

As I stated yesterday when I introduced the bill, we intend to refer this bill to committee after first reading so that a lot of the issues, a lot of the different positions people may have, can be discussed in an open and



consultative fashion so that we can come up with the best kind of OMERS model at the end of the day.

**Mr. Hampton:** I think the minister knows that New Democrats support full, joint trusteeship in the OMERS governance structure. That's not the issue.

My question is, the governance model you've put forward was rejected by a majority of employee groups in 2002, and they continue to have problems with it. They want to know that you are not going to ignore the concerns of a majority of plan members, including CUPE, OSSTF, CAW and other employee groups. That's an issue. You relied on a model that was firmly rejected by a majority of plan members, and had variable support even from employer groups. I repeat, will you commit to this legislation moves through the Legislature, all models will be on the table for consideration and all stakeholders will be listened to? Simple question: Will you commit to that?

**Hon. Mr. Gerretsen:** Certainly the whole intent of referring this legislation to a legislative committee after first reading is so that there can be full and very open and very frank discussions between all the stakeholders, whether they're employers or employees. We intend to do that through the legislative process. We are very proud of the bill we introduced. We're the first government, again, to do something about this issue in 10 years. We want to give OMERS full autonomy, just like all the other public pension plans in Ontario. We intend to do that, and the legislative process has been set up to, in effect, allow that to happen.

#### NIAGARA AMBULANCE COMMUNICATIONS SERVICE

**Mr. Kim Craiton (Niagara Falls):** My question is to the Minister of Health and Long-Term Care. My riding of Niagara Falls, and in fact all of the Niagara region, is the benefactor of a new ambulance dispatch centre, a commitment our government made prior to the election. On behalf of them, I want to thank you and commend our government for delivering the ambulance dispatch centre to the people of Niagara. Minister, can you tell us when this new state-of-the-art dispatch centre will be operational?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** To speak on the issue of the Niagara ambulance dispatch centre, it's an issue, of course, that has been of concern to all members in Niagara. The Niagara community was very excited to see it come to light. I'm pleased to be able to announce to all members of the House that the Niagara Ambulance Communications Service became operational as of yesterday at 7 a.m.

**Mr. Craiton:** Minister, this is fantastic news. I know my community will benefit from this. No one ever wants to be in a position to need emergency services, but we need them. When your health and safety are at risk, it's important that these services are reliable. To the people of Niagara, it's comforting to know that the new state-of-the-art centre is now up and running.

Finally, Minister, can you tell this House and the people of Ontario about the new kind of technology we have in Niagara, and what our plan is in moving this type of dispatch centre forward?

**Hon. Mr. Smitherman:** I appreciate the opportunity to give a one-word answer. No, I want to say—

**Hon. Greg Sorbara (Minister of Finance):** That will be a first.

**Hon. Mr. Smitherman:** It was a reference to the time.

The state-of-the-art technology in use at the dispatch centre includes new computer-aided dispatch and medical decision-making tools tied to digital mapping. "State-of-the-art" is a phrase that rings very true here. It's an advanced medical priority dispatch system which is combined with the most up-to-date automatic vehicle location at the dispatch centre, and this, in turn, is tied to digital mapping in ambulance-based laptop computers.

This ambulance communications service is a five-year pilot project that will help us in the province to serve as a benchmark for future decisions on how to provide the best land ambulance service possible all across the breadth of this vast and beautiful province.

#### PETITIONS

##### HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe-Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe-Grey."

Obviously, I agree with the petition. I have signed it.

##### SENIORS' TRANSIT PASS

**The Speaker (Hon. Alvin Curling):** The member from Davenport.

*Applause.*

**Mr. Tony Ruprecht (Davenport):** Thank you very much, Mr. Speaker, and thank you to those members who are presently applauding. I have a petition to the Parliament of Ontario and also to the minister responsible for senior citizens.

"Whereas most seniors live on fixed incomes which are eroding every year due to inflation ... and other necessary expenses;

"Whereas most seniors have their freedom severely restricted when unable to go about their daily business, which includes public transit;

"Whereas most seniors should be encouraged to live active, healthy lives—visiting friends, relatives, going shopping etc.;

"Whereas other jurisdictions already provide free local transit passes to seniors, namely, many cities in the United States of America;

"Therefore we, the undersigned, strongly urge the Minister of Municipal Affairs and Housing, and responsible for seniors to ensure that seniors be granted a free TTC pass, and/or introduce legislation that will force the local Toronto Transit Commission to issue free TTC passes."

Since I agree with this petition 100%, I'm very happy to sign it for you.

#### RIGHT TO LIFE

**Mr. Frank Klees (Oak Ridges):** This petition is to the Legislature of Ontario, and it reads as follows:

"Whereas the right to life is guaranteed unless limits to it are prescribed by law (Canadian Charter of Rights and Freedoms, sections 7 and 1);

"Whereas the Canadian Charter of Rights and Freedoms applies to the government of Ontario, the Legislature of Ontario and all matters within the authority of the Legislature of Ontario (section 32.1), including the regulation of the practice of professional engineering (Professional Engineers Act, Bill 123, chapter 13, Statutes of Ontario, 1984);

"Whereas the right to life is limitless in that neither case law nor statute law prescribes limits to the right to life;

"Whereas products are made under the direction of professional engineers in industrial establishments in Ontario of a chemical nature, or medical devices whose purpose is the limitation of the right to life;

"Whereas honouring the guarantee of the rights and freedoms of the Canadian Charter of Rights and Freedoms is in the public interest,

"We, the undersigned, petition the Legislature of Ontario as follows:

"To call on the government of Ontario to request, in the public interest, the Council of Professional Engineers of Ontario (Professional Engineers Act, Bill 123, section 6[b]) to make a regulation to prohibit professional engineers directing the manufacturing of chemical entities or medical devices intended for the limiting of the right to life unless appropriate limits to the right to life are prescribed by law."

1520

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Shelley Martel (Nickel Belt):** This petition has been sent to me by Eve Kendel of Sudbury. It reads as follows:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

"Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a 'centre of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I've affixed my signature to this.

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition from Natalie Griffiths of Cornell Crescent and Lesley Wilton and Stewart Ogilvie of Miller's Grove in Mississauga. They're supporting capital improvements at the Credit Valley Hospital. The petition reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I'm pleased to sign it and to ask page Alexandra to carry it for me.

#### BROCK COMMUNITY HEALTH CENTRE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):**

"To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget;

"Whereas a CHC in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock CHC proposal submitted on February 27, 2003, be funded as recommended by the district health council."

This is signed by many people within my riding, whom I support. I hand it over to page Luke.

#### HOSPITAL SERVICES

**Ms. Shelley Martel (Nickel Belt):** I have a petition that has been signed by 4,300 people, sent to me by the Ontario Health Coalition. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas all hospitals since the inception of public medicare in Canada have been non-profit;

"Whereas 'public-private partnership' (P3) hospitals turn over democratic community control to international investors, making a public service into a commodity sold for profit;

"Whereas worldwide evidence is that private (P3) hospitals lead to doctor, nurse, staff and bed cuts in hospitals in order to make room for profit taking, consultant fees, higher borrowing costs and outrageous executive salaries;

"Whereas private (P3) hospitals hide information about the use of tax dollars by claiming 'commercial secrecy' when they privatize public institutions;

"Whereas the higher costs, user fees, two-tier services and culture of private (P3) hospitals risk the future sustainability of our public medicare system;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to stop all current and future 'public-private partnership' (P3) hospital deals and return full ownership, operation, management and delivery of hospital services to non-profit hands, and develop a plan to fund new hospitals through public finance, clearly excluding the privatization of hospital services."

I agree with the petitioners, and I've affixed my signature to this.

#### TENANT PROTECTION

**Mr. Tony Ruprecht (Davenport):** I have a petition from the Doversquare tenants of Toronto. It is addressed to the Parliament of Ontario, and it reads as follows:

"Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

"Whereas the Ontario Rental Housing Tribunal (ORHT) created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs and this same act has given landlords wide-ranging powers to evict tenants; and

"Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board (OMB) to add a fourth high-rise unit to our compound in order to circumvent city of Toronto restrictions on density and the city's opposition to its project;

"Whereas this project would lead to overcrowding in our densely populated community, reduce our precious green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

"Whereas this project will drive away longer-term tenants partially shielded from the post-1998 Harris-Eves rent increases, thereby further reducing the number of relatively affordable units in the city core; and

"Whereas, before the October 2003 elections," the government "promised 'real protection for tenants at all times' and a radical overhaul of the pro-developer OMB; and

"Whereas our own MPP, Liberal Tony Ruprecht, called for a rent rollback ... at a public event in June 2003 and spoke out against the proposed fourth high-rise at a community meeting in November 2004"—

#### *Interjections.*

**Mr. Ruprecht:** Mr. Speaker, I'm not making this up. This is in the petition. I didn't write the petition.

"We, the undersigned residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

"To institute a rent freeze until the exorbitant Tory guideline and above-guideline rent increases are wiped out by inflation;

"To abrogate the Harris-Eves Tenant Protection Act and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT and reinstates real rent control, including an elimination of the Tory policy of 'vacancy decontrol';

"To keep the McGuinty government to its promise of real changes at the OMB, eliminating its bias toward wealthy developers and enhancing the power of groups promoting affordable housing, sustainable neighbourhoods and tenant rights."

I will sign this document.

### CHIROPRACTIC SERVICES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):**  
"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment, at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

It's signed by many people in my riding, including Mary Hamilton from Bobcaygeon. I'm handing it over to Luke.

1530

### CREDIT VALLEY HOSPITAL

**Mr. Kevin Daniel Flynn (Oakville):** I have a petition today signed by some people from Oakville, including Nigel Saunders of Lees Lane, which reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

### ORDERS OF THE DAY

#### ENVIRONMENTAL ENFORCEMENT STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS SUR L'ENVIRONNEMENT EN CE QUI CONCERNE L'EXÉCUTION

Mrs. Dombrowsky moved second reading of the following bill:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

**The Speaker (Hon. Alvin Curling):** Minister?

**Hon. Leona Dombrowsky (Minister of the Environment):** I'm proud to say that Bill 133 is before the House for second reading. Today this Legislature has an opportunity to take an important step to ensure that this and future generations have clean water, which is the lifeblood of our communities.

Last October, the Premier announced our intention to introduce legislation to create environmental penalties for polluters, to enshrine in law an important principle: If you spill, you pay. We have delivered on that promise with Bill 133.

The government has one objective: We want to protect Ontario's air, land and water from toxins spilled by



industrial activities. We know that this goal is shared by people across Ontario. We should all be proud of this legislation because it represents the result of extensive consultation. Bill 133 addresses the need for a cleaner and safer environment and responds to concerns and issues that have been raised during both the consultation period and at committee hearings.

Our government remains committed to the fundamental principles of Bill 133. We need environmental penalties to encourage and improve industry compliance with environmental laws and their certificates of approval. We need a community fund to ensure that money collected from environmental penalties must be available to help communities deal with the impact of spills. These elements are essential.

We have a bill before us that has received amendments from an all-party committee. We now have a bill that has incorporated the suggestions of environmentalists, health professionals, community leaders, industry associations and opposition parties. Bill 133 will bring Ontario in line with other jurisdictions in North America. Having tools in place to encourage compliance will help make Ontario a cleaner, healthier, more competitive province.

On Tuesday, I attended a number of events in Walkerton that were held to mark the fifth anniversary of the water tragedy and to celebrate that community's strong effort to move forward. The day culminated with a speech by Robert F. Kennedy Jr. that touched on the heart of this legislation. "Good environmental policy," he said, "is identical to good economic policy," and I agree with that statement wholeheartedly. Mr. Kennedy also said that government's role, above all else, is to protect the commons on behalf of the people. That is exactly what this legislation will accomplish. The message we are delivering by passing this bill is that environmental degradation will no longer be tolerated.

Before I go any further, let me explain how we arrived at this point and why Bill 133 is so necessary. Some people ask, why not use the existing laws? We do have laws that require polluters to report spills, clean up spills and compensate for losses caused by spills. In many cases, the existing law goes a long way to providing sufficient reason for many companies to take the necessary steps to prevent spills. However, given the number of spills that still occur each year, it is also clear that it is not always enough.

In 2004, there were more than 1,000 industrial spills. The facilities that the government plans to apply environmental penalties to account for almost 40% of those spills. However, these facilities accounted for nearly 98% by volume of all reported liquid industrial spills in 2004. That is why the regulations under Bill 133 will focus on these 139 facilities covered by the municipal industrial strategy for abatement.

I want to thank the members of the standing committee for their hard work. They have helped to steer this important piece of legislation in the right direction. Bill 133 has been improved and strengthened by the amend-

ments put forward by this committee. The committee heard from a number of eloquent speakers who discussed the effects of environmental degradation on human health. The best perspective came from the people who are most affected by spills: the people who live downstream from industrial spills.

Dr. David Colby, acting medical officer of health for the municipality of Chatham-Kent, told the committee that he strongly supported the bill: "We believe that this legislation is essential to improving the health and safety of our communities by providing a disincentive to acts of pollution."

"We can't turn a blind eye to what's been happening," Dr. Colby said. "Spills are continuing. They're not the cost of doing business. We can't tolerate anything less than zero spills into drinking water in Wallaceburg, Chatham-Kent or any place in Ontario."

Mr. Jim Hasson of the Wallaceburg Advisory Team for a Cleaner Habitat—or WATCH, as they are known locally—told the committee, "Our team was formed in the wake of yet another industrial spill into our source of drinking water, when hundreds of kilograms of a ... carcinogen were released into the St. Clair River in August 2003. Most infuriating to our community was that this spill was not reported for five days." In urging the committee and this Legislature to support the bill, Mr. Hasson concluded, "Bill 133 is all about protecting communities."

Our government has a good environmental story to tell, one that I believe is similar to a trilogy. The first volume is our work to clean up the air that we breathe. We are committed to replacing coal-fired generation stations, as seen by the closure of Lakeview earlier this year. We know that these stations are killing hundreds of Ontarians each year, and they're making thousands of people ill. That was another point made by Robert F. Kennedy in his remarks in Walkerton this week. The coal-fired generators in the United States are killing 18,000 people in that country every year. So he was very happy to endorse the initiative of this government to replace coal-fired generation. We are introducing tough new rules for industrial pollution that will impose stricter limits on smog-causing pollutants and establish new standards for 29 cancer-causing chemicals.

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The second volume in our work, our environmental story, is the good work we're doing to protect our land resources. We have introduced a greenbelt that will save productive farmland from development, curb urban sprawl and ensure future generations that they can have natural space to enjoy. With the Niagara Escarpment and the Oak Ridges moraine, we have now protected 1.8 million acres of green space.

We are encouraging greater diversion of waste from landfills, and we have ensured that the municipal blue box program remains sustainable. Our government was the first government to flow dollars to municipalities to assist them with their costs in their blue box program. When I came to my role as Minister of the Environment,

there were municipalities that were threatening to collapse that program because they were not able to sustain the costs. Now our government has provided them, through the Waste Diversion Ontario plan, an avenue for resources that keep the blue box program alive.

The third part of our environment story relates to our efforts to protect our water. We are protecting Ontario's drinking water with unprecedented safeguards at every stage, from source to tap. We are developing legislation that will require source water protection plans for watersheds across Ontario. We have also strengthened the testing, monitoring, and treatment of drinking water.

Underlying all three of these volumes is the need for effective compliance and enforcement of our province's environmental laws. Bill 133 will increase the tools available to us to bring companies into compliance. Environmental penalties complement our ongoing abatement, investigation and prosecution work. Environmental penalties will encourage companies to take action to prevent spills and to clean up a spill right away. Environmental penalties are administrative penalties, not fines. This is why there will be absolute liability for a spill, should one occur.

Environmental penalties are not a new concept. Civil or administrative penalties are part of the law in the United States under federal environmental protection laws like the Clean Air Act, and under state laws, and they exist in other Canadian jurisdictions as well.

If Bill 133 is passed, the government intends to introduce regulations that will ensure that environmental penalties apply to the Ontario facilities covered by the municipal-industrial strategy for abatement, or MISA, regulations. Presently there are 139 MISA facilities in Ontario.

Since environmental penalties are administrative, if a company decides to appeal the penalty, the onus of proof will be on the company to show that the spill did not have the potential to harm the environment. There are those who claim that the reverse-onus provision is a new principle. Clearly it is not. One of the most common features of environmental protection laws is that when a company experiences an incident that may endanger public health or the environment, it must report to government authorities. The bill's proposal for reverse onus during appeals of environmental penalty orders is the next logical step.

Let me outline the changes we have made to Bill 133, as agreed to by members of this Legislature. These changes emerged from our consultation with stakeholders, our own review of the bill, standing committee hearings, and discussions with opposition members.

Some amendments add clarity that the industry sector was looking for. Now it is clear in Bill 133 that only a ministry director can impose an environmental penalty, not an environmental officer. We have also clarified that environmental penalties shall only be imposed against the company and not company officials or ordinary company employees. The objective is to promote spill prevention and to ensure fast cleanup of spills, not to penalize

individuals. It is now clear that a company that receives an environmental penalty will not have that penalty taken as an admission of guilt in a subsequent prosecution. Once Bill 133 has passed, we intend to draft regulations to ensure that a company's efforts to prevent, minimize or clean up a spill will be taken into account for assessing penalty amounts. The bill already strengthens the ministry's authority to order spill prevention plans and spill contingency plans. Now the bill has been amended to require that those industries specified in regulations prepare spill contingency and prevention plans.

Recent court decisions have highlighted the disparities between the tests in the Fisheries Act and the Ontario Water Resources Act. Bill 133 addresses those court decisions, but we are ensuring that determinations of impairment are made on the basis of science. The bill now clarifies that the "may cause an adverse effect" standard will apply only to environmental penalties and specified preventive measures order powers.

Our objective is to raise the bar on environmental protection, to have a law that will work better, be fair and, above all, be effective. We have achieved a rare feat in Ontario. We have created a piece of legislation that provides, I think, an ideal balance. We are creating much-needed compliance tools that will improve environmental compliance in Ontario. Bill 133 will encourage companies to reduce the likelihood of a future spill. This legislation enables industry to remain competitive. In fact, by better protecting the communities in which these industries operate, we are reducing risks, protecting human health and the environment, and increasing Ontario's competitiveness.

On Tuesday, I met with students at Mother Teresa School in Walkerton and talked about our efforts to protect our water supplies for them and for their children. I urge members of this House to think about those students and thousands like them in your own ridings, and to vote to support Bill 133 to protect our communities and our environment.

**The Acting Speaker (Mr. Joseph N. Tascona):** Questions and comments?

**Mr. Kevin Daniel Flynn (Oakville):** It's a pleasure to join the debate in the Legislature on second reading of Bill 133. I'm especially proud of the way this bill has been amended. I am especially proud of the process, because if you talked to Ontarians they would expect that their government would be availing themselves of the right to pass environmental legislation that is at least the equal of other states and other jurisdictions in North America.

This brings us up to date. This brings us in line with many of the economic entities that we compete with on a regular basis. If it's passed, Bill 133 would not deny any industrial facility that spills to have a hearing before the Environmental Review Tribunal. It does not apply to municipalities, farms or small businesses, but it does apply to facilities regulated by the municipal-industrial strategy for abatement, or MISA.

If you look back at the volume of the spills in 2003 and 2004, you'll find that in 2003 the MISA-regulated



facilities accounted for 84% of those spills, and in 2004 they accounted for 98% of the spills.

As I say, this brings us into line with similar penalties that are used in just about every state in the US, in Mexico, Australia, nine European countries. Even here at home, it brings us in line with the province of Alberta. So it really does make sense. The reason for this is quite evident. In 2004 alone, there were six industrial spills in the St. Clair River, resulting in the closures of water intakes on that river. Some of the things that were emitted were MEK, methyl ethyl ketone; ethylene oxide; caustic waste water; benzene and toluene—all things that average Ontarians would expect to be kept out of their drinking water supply. This bill, I believe, goes a long way to ensuring that we do have a clean drinking water supply in this province.

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**Ms. Andrea Horwath (Hamilton East):** It's going to be my pleasure to speak more thoroughly to the bill a little bit later on today, and our critic, Marilyn Churley, will be having the opportunity to do so as well.

In general terms, we're pleased that there has been some movement on this particular issue, some movement on environmental protection. We all know that it's a huge issue and that there's a great number of things we need to do as a society, as communities, as a province, to really address some of the what I would call environmental crises that we are facing. This starts down the road to achieving some of those goals. As I'll get into greater detail about a little later on, we of course believe there are more things that need to be done.

Having come from the city of Hamilton, I'm sure people will appreciate that environmental concerns are always on my mind. In Hamilton East, the community that has the greatest amount of industrial manufacturing in it, the environment is a huge concern of mine. Of course, Hamilton Harbour is a remedial action plan hot spot and one that's of serious concern not only to the provincial government, the municipal government and the national government, but internationally that particular area is of environmental concern.

Again, I'm pleased to see that we have a spills bill and pleased to see that there is a process that is giving it a great deal of scrutiny, but I believe there are some things we need to do to strengthen and tighten it and to make sure that it is effective not only in protecting the environment but for preventing spills as well.

**Mr. Dave Levac (Brant):** I wanted to rise for just a few moments to talk about the good work that the Minister of the Environment is doing. Since grabbing this portfolio, she just dove right into the understanding of how our planet operates, as long as we understand that this is a web that we're dealing with. The school kids out there know this very well, that we're talking about a web and the connectedness of our Mother Earth. Being right beside the Six Nations, I've continually been given lessons about how to take care of the environment.

I also want to take a moment to mention what we're doing in this piece of legislation in co-operating with the

philosophy of the Grand River Conservation Authority. My riding is along the beautiful Grand, a Canadian heritage river. There are many, many communities along the Grand River that are affected by this. Unfortunately, we have experienced some serious spills. The minister's staff and the minister herself are very concerned about this type of problem along the river because it affects all of the communities that are affected on that spill down the river. We've got a wonderful co-operative agreement with the Six Nations that deals with alerting them, in a co-operative way, that there is something happening environmentally along the Grand River.

I want to commend the minister for bringing this legislation forward. I also want to make sure that everyone here in the House realizes that this is an evolution, this is an ongoing development, and hopefully, along with all members from all parties, we'll co-operate in making sure that we get the best possible legislation. I'm sure the minister will be very satisfied at the end of the day that we're putting forward legislation that's effective for all of our communities. And it's not just about the communities themselves; it's about the earth and our respect for Mother Earth and making sure that we're there for the next generation.

We've gone from negative to stable-based, sound economic planning, as a result, earlier than expected. I just wanted to make sure that we're sound economically as well.

Thank you very much for that opportunity.

**Mr. Frank Klees (Oak Ridges):** I too will be speaking in more depth to this bill, but I do want to respond to the minister's introductory comments.

There's no doubt that a great deal of flurry has happened around this bill since it was initially introduced. The fact that there already have been, I believe, more than 70 amendments proposed as a result of reaction from stakeholders indicates one of two things: Either there wasn't sufficient consultation with stakeholders before the minister tabled the bill for first reading and, as a result, she has had to scramble to at least begin to make things right that were so very flawed in this bill, or, for one reason or another, the minister just wasn't prepared to see some of the logic that stakeholders, in the short consultation that did take place before the bill was tabled—to incorporate those recommendations. It wasn't that the minister wasn't given the information; it was that she either intentionally ignored it or this government felt that somehow it was able to charge ahead and expect stakeholders simply to sit passively by.

I can tell you that we of course are supportive. Who wouldn't be supportive of strengthening environmental regulations and framework? But we also have to ensure that there is fairness and that the industry is a partner in that process.

**The Acting Speaker:** In response, the Chair recognizes the minister.

**Hon. Mrs. Dombrowsky:** In the final two minutes, I would like to take this opportunity to share with the members of the House some comments that were made

by industry partners and by other people whose opinions on environmental protection are very valued.

The first endorsement that our government received for this bill was from Robert F. Kennedy Jr. He said, "This announcement signals a renewed commitment to enforcing Canada's environmental laws and an end to the race to the bottom for lower standards in North America."

I'd also like to share with you an endorsement from the Ontario Forest Industries Association, one of our industry stakeholders. This was presented at committee:

"We completely agree that there's a spills issue, a spills problem in Ontario, we completely agree that the status quo is not acceptable, and we completely agree that improvement is absolutely necessary.

"We applaud the enthusiasm and dedication that the Minister of the Environment has brought to bear to minimize or eliminate spills and to get compensation quickly to municipalities. The identification of the problems, the setting of improvement objectives, the IPAT process, the SWAT team working hard in southern Ontario—all commendable."

That's from Craig Gammie of the Ontario Forest Industries Association.

I also have a quote from Mark Mattson of Lake Ontario Waterkeeper, who said, "We've seen an epidemic of spills in Ontario. In Toronto, the Don River turns red and the Humber River bright blue, and both rivers are sometimes covered with mountains of foam.

"In Sarnia ... the Canadians and Americans living on the St. Clair River have suffered from the effects of more than 800 spills in the last 20 years.

"Lake Ontario Waterkeeper believes that Bill 133 is about protecting communities, not about punishing polluters. It is the best possible remedy for the epidemic of spills."

I think that these endorsements speak to this bill and why it would be appropriate for this Legislature to see its passage.

**The Acting Speaker:** Further debate?

**Mr. Klees:** Speaker, I would seek unanimous consent to defer our leadoff until later this afternoon.

**The Acting Speaker:** Is there unanimous consent for that motion? Agreed.

The Chair recognizes the member from Oak Ridges.

**Mr. Klees:** In that case, I will address a number of issues that I believe are important for the Legislature to consider and for stakeholders to consider as we continue to deliberate on this legislation.

Perhaps to set the context, I want to, for the record, place before honourable members the fact that in November 2000, the Ontario government passed legislation giving this province the highest fines and the longest jail terms in Canada for major environmental offences. I was proud to be part of a government that took that initiative. It sent a very strong signal to stakeholders, to industry in this province that the government of Ontario takes very seriously their responsibility as stewards of the environment. At that time, that was Bill 124. Speaker, you will

recall it well, I'm sure. That bill carried unanimously. It had the support of the current member—in fact, the current minister. Ms. Dombrowsky was present when that vote took place. Other members of the government, front-benchers—Ms. Papatello, Mr. Smitherman, Mr. Bartolucci, Mr. Bryant, Mr. Caplan—and some of the backbenchers—Mr. Colle, Mr. Cordiano, who is a minister of course, Mr. Crozier, Mr. Curling, now the Speaker of the Legislature, Mr. Duncan, Mr. Kennedy, Mr. Kwinter, who is here, Mr. Phillips and Mr. Ruprecht—all supported Bill 124.

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I say that because I believe that industry is fully aware that the government of Ontario, regardless of political stripe, is in fact concerned with the protection of the environment and has in the past taken steps to ensure that the environment is protected and will continue to do so. The key to any legislation of course is enforcement. Making laws is relatively easy—sometimes more difficult than others. But it's one thing to draft legislation, bring it to the House, have it debated, take it to committee and then have it entrenched; it is yet another thing to have that implemented and to have it enforced and to ensure that it serves its purpose in the final analysis.

I think this is where this government and this minister, through Bill 133, have missed the focal point of what environmental legislation should do. I believe this government, through this bill, has effectively polarized the community. It's polarized stakeholders who really should be partners in implementing and ensuring that the end result, the objective of a bill such as this can be achieved, yet it seems as though this government has declared war on the very stakeholders who, the minister will admit, they need to ensure that the principles of this bill are finally implemented.

The minister read with some interest quotations from some people who are in support of this bill. With all respect, it's one thing to quote an American who has no background in industry and I think is in very little touch with the real world. The minister refers to Mr. Kennedy as someone who gives her comfort in endorsing this legislation. I want the minister to hear from some of her major stakeholders in the province of Ontario, people who are creating jobs here, who are generating billions of dollars in tax revenue, who are contributing to the quality of life for literally hundreds of thousands of Ontarians. These are stakeholders who are very concerned with the attitude of this legislation.

I want to point out to her what Mr. Jeffrey Lipton has to say. This is the president of NOVA Chemicals. He makes some very interesting points, and at some risk, no doubt, but obviously feels compelled to challenge this government with regard to the nature of this legislation. I'm going to quote here from an article: "Lipton charges the Ontario Liberals are openly hostile to the chemical industry, treating them like an enemy through visits by flak-jacket-clad SWAT team members and spills legislation that presumes industry guilty until they are proven innocent."



This is a fundamental issue that this House will have to deal with, and I'm hoping—I trust—that when this legislation goes back out to committee, this fundamental flaw with this legislation will, in fact, be addressed. At no other time, I know of no other piece of legislation, no other act, that contains this bizarre principle of assuming and presuming guilt before there is any opportunity for either the individual or the corporation to bring forward their evidence. It's one thing to be charged and then we have due process; it's yet another thing to say, "We're going to presume that you're guilty, and now you have to prove that you're innocent." That's a principle that is foreign to the jurisdiction of Ontario, to any province or territory in this country.

You know, I find it very difficult that members opposite can take that position, defend it, and do so without any concern. You can justify it in 20 different ways if you like, gentlemen and ladies, but it doesn't fly in the real world. So my contention is that, while the intent may be good here—no doubt the minister wants to do the right thing; I'm not going to doubt the minister's intent—I do believe that she has received poor advice with regard to structuring some of the details of this bill.

I also am going to presume—and I assume—that she has come to realize, as a result of the reaction by stakeholders over the last number of weeks since this bill has had the attention of stakeholders, as a result of the some 70 amendments that the minister has already agreed to that must be incorporated, that there is yet considerable work to be done. I look forward to participating in the next phase of public hearings, and we're hoping that we will see some major changes to this bill, starting, as I said, with this important principle of presumption of innocence and that there is due process in place.

I want to take the opportunity of speaking to another issue that relates to the Ministry of the Environment and speaks to the importance of the Ministry of the Environment making its decisions, making its recommendations, drafting legislation, drafting regulations based on factual information, because there are far-reaching effects when this ministry rolls out regulations. It's not just a matter of saying, "Well, you know, if we got it wrong, we can always make it right." There has to be a consideration before an announcement of a regulation as to what the impact is going to be on industry, on businesses that are directly affected. I believe that there is an opportunity for the minister to set things right here with regard to this legislation. We trust that she will, and we look forward to moving on to the next phase of public hearings, where we will have an opportunity to address that.

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**The Acting Speaker (Mr. Mario Sergio):** Questions and comments?

**Ms. Horwath:** I look forward to having an opportunity to speak to this bill myself a little later on.

I don't agree very much with much of what the previous speaker had to say. I think there are serious problems with the way the bill not only arrived and was dealt with by the government thus far, but also in the way it has

been dealt with at committee, insofar as the proposed amendments are concerned that water down an already moderate attempt to address this problem of spills. Although I heard what the previous speaker was saying, coming from a community that has often been devastated—devastated for a century—when it comes to industrial pollution, in fact having the moniker or label of being one of the most polluted areas in the whole country, I have to say that anything that would strengthen this bill, that would make this bill actually be so strong that it would prevent spills from occurring, is where I think this province should be going.

I will be getting into a little bit more detail about that in my remarks, but I think that in this day and age all players have to recognize that there are no winners and losers. We're all losers if we don't address the degradation of our environment that continues to occur, even though we know full well what that does to the viability of our planet and of our human race, quite frankly. So I think that as we move forward in the process, this bill needs to become more strong, not less strong.

**Hon. Mrs. Dombrowsky:** I want to comment on the honourable member from Oak Ridges's reference to Bill 124, which, yes, as a member of the opposition, I did support. As a member of the opposition we presumed that when a government goes to the trouble of introducing a bill and working it through the legislative process, it will become law, but the Conservative government never proclaimed Bill 124 into law. It is not effective in the province of Ontario. So I would suggest the honourable member might do his homework if he's going to present that the previous government introduced legislation. They did and it was passed. The good members of this Legislature, in good faith, voted on it, expecting it to become law, and it was never proclaimed. That's why this government is taking action to ensure that people in our communities are protected, and that when you spill in Ontario, you have the responsibility to pay for that spill.

With respect to consultation with stakeholders, this is a very controversial piece of legislation. There are pieces of legislation of this type in many other jurisdictions around the world. This is not precedent-setting. This is really very consistent with some of the more progressive jurisdictions that understand why it is important we have these kinds of laws in place to ensure that the people in our communities and our environment are protected.

He also referenced the relationship with stakeholders, particularly industry stakeholders. Yes, there are industry stakeholders. We thank them very much for the participation to date in the committee process. That's what the legislative process is all about.

I want to read a quote from one of our industry stakeholders, Chris Hodgson, a former minister of the previous government, who now represents the Ontario Mining Association. Mr. Hodgson said, "The Ontario Mining Association feels there have been improvements made to the bill during the committee process. The minister went out of her way to hear our concerns and through

amendments has addressed the most offensive aspects of the original bill.”

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** It’s my pleasure to have a few moments to speak on this bill, Bill 133. I think what the government’s trying to do here is strike a balance between what people in the economic or business community want and what environmentalists and the public want to see. I think this bill does that. We are definitely cracking down on spills; I think that’s very important to do. But at the same time, we’re doing it in a way that is not going to scare or deter businesses from trying to conduct themselves in the best possible way. As the minister said earlier in her speech, quoting the remarks of Mr. Kennedy—he said basically that the economic interests of a country should be the same as the environmental interests of the country; that the two flow together. Clearly, the bill in front of us today is in line with that.

Further on that same point to do with the economy, just hours ago it was reported on CP24, a television station here in Toronto, that the government’s financial rating has gone from a negative to a stable basing. That’s sound economic planning, with results earlier than expected. That’s really good news, coming earlier than expected and showing that this government is using a balanced approach in addressing the environment, the economy and those other important issues that need to be dealt with.

This bill reflects the values of the Liberal government. We are on course and, in fact, ahead of schedule in fulfilling the many commitments that we made to the people of Ontario.

**The Acting Speaker:** Questions or comments? The minister, I believe, has two minutes to respond.

*Interjection.*

**The Acting Speaker:** Oh, I’m sorry. Yes, indeed. The member from the wonderful riding of Oak Ridges—Aurora, Newmarket; wonderful country—has two minutes.

**Mr. Klees:** I’m pleased to respond to the responses. I didn’t expect the minister to be quite so defensive. I was not suggesting that the intent of the government isn’t honourable; in fact, I made the statement, I am sure, that the minister’s intentions are. I’m simply calling for that balance of environmental protection and ensuring that whatever regulations are implemented are implemented fairly, in a way that does not presume guilt but that provides for due process and that whatever penalties are there would be fair.

I refer once again to a comment by the president of NOVA Chemicals. He warns that the chemical industry is looking at investments elsewhere, given the hostile political environment. This is sad. It shouldn’t have to be that way. We should be able to achieve our stewardship responsibilities as a government, working in co-operation with not only environmental stakeholders but industrial stakeholders and the business community. Because at the end of the day, if we don’t have jobs, and if businesses decide that because of an over-regulated environment,

they will go elsewhere—and in today’s environment, it doesn’t take much for a company to say, “I will make my investment in Michigan, Ohio, Quebec, Manitoba, BC or somewhere else.” It is easily done. I appeal to this government, as they seek to bring forward responsible legislation, that they keep in mind that important balance between the economic realities and the environmental needs.

**The Acting Speaker:** Further debate? The member for Hamilton East.

**Ms. Horwath:** First of all, before I start, Mr. Speaker, I seek unanimous consent to stand down my critic’s lead. She’ll be here in a little while and would like to do it then.

**The Acting Speaker:** Agreed? Agreed.

**Ms. Horwath:** Thanks very much. My critic, Marilyn Churley, the member for Toronto—Danforth, will be here in a little while to make some remarks on the bill, her lead speech.

In the meantime, I thought that what I would do was to put a bit of a framework or context around some of our concerns about the way that the bill came to be and how it got here. I have to say quite bluntly that it’s good to see that there are some movements occurring, that there is some environmental protection, at least thoughts in the mind of the government, and this bill, Bill 133, is a modest step in the right direction.

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But I say that also within the context, again, of my community and, ironically, two days after we had a spill of coal tar in Hamilton Harbour. It is unfortunate. It wasn’t that much, it was about 225 litres, but it is ironic that that’s the very kind of activity, the very kind of occurrence that this bill is meant to prevent, which is spills that negatively affect the environment, spills of an industrial nature.

On that note, it is concerning to us that the process, thus far, has led to a dilution of the initial bill that was tabled here in the House. I did allude to, during some of my questions and comments, the fact that there is going to be some more from me on that particular process.

What I think is important to raise or to mention is that those objectives that were initially set out in the bill were watered down in committee already, and that watering down took place within the context of the committee before members of this Legislature even had a chance to speak to the bill. The input and the public discussion was taking place before anybody in this House even had a chance to debate this bill. It was prior to second reading that this bill went out to committee and, interestingly enough, after industry lobbyists had an opportunity to secure concessions from the government, such as the removal of responsibility for bills of directors and officers of companies that were charged with spills—again, one of the most important deterrents, which is the ability to ensure that the people responsible are held accountable. That was removed. Only after that concession was reached, only after the industry lobbyists got what they needed, then do we have the bill come back to



be debated in this House. So it really speaks to the kind of perverse history that this bill has had in terms of its life thus far in the House. It speaks also to the problems that the government has had in trying to get the bill past its Bay Street corporate friends and into the House.

I have quite a history that we've put together that shows, step by step, what has happened to this bill. I'm going to do a quick retracing of that history, because I think it really sheds some light on the odd way that this whole thing was pulled together.

The bill was announced with much fanfare. It wasn't announced here; it was announced at the Ontario Science Centre on October 8 by the minister. At that time, the Premier stated, "The proposed legislation would also hold corporate officers and directors more accountable. A conviction could result in sentences ranging from fines against a company to up to five years of jail time for its directors and officers." Of course, government amendments have now reduced the accountability of officers and directors under the act.

So the bill was introduced back in October—the original bill, the bill that used to hold people accountable—with all that fanfare, but then nothing; complete silence. Nothing happened. Six months later, lo and behold, the Minister of the Environment suddenly announced that Bill 133 wasn't going to be coming here. They weren't bringing it here for second reading. The government wasn't going to put forward the second reading of the bill so that we could have it debated here. Instead, it side-doored the bill. The minister took the bill right from under our noses over to a committee process before second reading for this apparent public consultation process.

At the time, the minister said in response to my leader, the leader of the NDP, Howard Hampton, "I would just like the honourable member to explain how it is that using a very legitimate process of this Legislature—a committee hearing that will invite input from the public of Ontario—is somehow a perversion or is slipping something out the side door." These were the minister's words.

But we know, and we have since found out, that the Premier's close associate and election strategist Warren Kinsella, a good Liberal and still a testifier at this point in time at the Gomery inquiry, and his sustainable development coalition—a coalition, by chance, of the biggest polluters in all of Ontario, the biggest polluters in the country—arrived on the scene, mysteriously, coincidentally, just before Bill 133 landed in that committee. I don't know: coincidence? Some might say so. It's highly unlikely, though. I'm sure that Ontarians have a very difficult time seeing that it's a coincidence and in fact smell a bit of a rat, the way most of us did.

Not only that, but the reason it's getting shuffled over there is that there is a huge division, from what we hear, within the internal caucus of the Liberals themselves. They're divided; they're divided over what Kinsella is trying to push for. Do Kinsella and the band of polluters that he represents get all the attention? Are they the ones

who should be listened to, and should the bill be watered down or even withdrawn? Who knows?

Then, the first day the bill was in committee, waiting for the input of the Ontario public, yet another strange occurrence happened. The minister, who had cited the reason for sending the bill to committee prior to second reading, was for this public input, but she arrived on the scene to state that she was going to be making a series of amendments to Bill 133, briefly described a couple of those amendments and then highailed it out. So we were there for the public meetings at committee, all of a sudden amendments were plunked on the table, the minister took off, and then, after the minister's visit to the committee, the committee members did spend time hearing deputation after deputation that dealt with many aspects related to the minister's proposed amendments, without any idea of whether or not the concerns they were raising would be addressed by the government.

Public consultations? Well, some would say that, but clearly the government had done all the consulting it had wanted prior to the committee hearings and had based their amendments to the bill on the interests of that one small group that was led by Mr. Kinsella, the group that wants to make sure the bill doesn't do what it needs to do: to prevent the spills. In fact, what it does is kowtow to the interests of the big Bay Street polluters and lawyers. It's a very unfortunate situation and one that we are extremely, extremely disappointed with.

In closing—I'll leave some time for my critic to give her speech—I am going to make just another observation: If the minister were really serious about consulting the public on Bill 133, she should have introduced her amendments prior to the committee process, had the bill reprinted and allowed the public to comment on the actual Bill 133, not on the one that didn't even exist when the committee process started.

It has been, as you can see, an extremely ludicrous process. The bill has been moved around, tossed around, amended and then has come back, and the government, although it introduced it to great fanfare and great cheers, all of a sudden got very cold feet, joined up with the big lobbyists under the wing of Warren Kinsella, their good friend, and lo and behold, the next thing we see is a severely watered down bill.

I want to return to the minister's own words at the end, which were, "I would just like the honourable member to explain how it is that using a very legitimate process of this Legislature—a committee hearing that will invite input from the public of Ontario—is somehow a perversion or is slipping something out the side door."

Now that we've seen what the process really was—we've seen that we've been through a substandard committee process, with the public providing deputation on a bill that by the minister's own admission had already been amended—we can only conclude that, yes, the process was a perversion, as it was accused by Howard Hampton.

1630

**The Acting Speaker (Mr. Joseph N. Tascona):**  
Questions and comments?

**Mr. Wayne Arthurs (Pickering-Ajax-Uxbridge):** I'm pleased to have a couple of minutes to enter into the debate. I believe that the function and outcomes of the committee hearing are quite appropriate. The government has listened to a variety of stakeholders and as a result of that has brought forward amendments for the committee's consideration that ultimately will reflect in whether this House accepts a better piece of legislation at the end of the debate.

The need is to ensure that those in industry who create degradation to the environment, particularly through spills, will be held accountable for that. I think it serves two purposes. First, it creates a high degree of accountability by imposing fines on polluters in a fashion that makes it very real to them. It also encourages industry to reach beyond, not to reach a modest threshold of environmental responsibility but to reach for a higher level than might be the modest compliance required. If industry sees that it's good business for them to have environmental protection strategies, to do the necessary training of their staff, to do the necessary work on their equipment to avert spills in the environment, they not only avoid the costs that come with fines, they avoid the costs that come with shutdowns in their operations, they avoid the costs that result from the review and legal activities—but they also end up with an environment where those they do business with understand what their responsibilities are and understand that they are intensely interested in doing good business in Ontario. I think the bill and the amendments will reach multiple goals, not only to ensure that those who spill, pay, but also to ensure that those who are—

**The Acting Speaker:** Thank you. Further questions and comments.

**Hon. Mrs. Dombrowsky:** I'm very happy to have the opportunity to respond to the comments that have been made around the process of this bill. Perhaps the honourable member for Hamilton East might want to do a little bit of homework or study on the standing orders, on how this place works and how laws are made.

It's very appropriate that the bill is introduced for first reading, that it would be sent to committee after first reading to hear from stakeholders so that we can build a better piece of legislation, so that we can come back, as we have today, for second reading debate, having had the opportunity to listen to what the stakeholders have told us, to take that into account, to introduce amendments that have come from stakeholders. Those amendments have been supported by an all-party committee of this Legislature. They've now been incorporated into the second reading version of this bill. We now have an opportunity. I think it's very appropriate; obviously there will continue to be comments from all sides of this House about where the bill has strength and where it can be improved. We pay very close attention to that.

I think, when we consider the process that has been employed thus far in carrying this bill through the Legislature, it has been open. It has been transparent. I think that stakeholders feel they've had the opportunity to have

their issues and their concerns brought forward. We heard that from stakeholders after the bill was introduced, so we acted to accommodate stakeholders on both sides of the issue. The honourable member would suggest that maybe this government, with amendments of the bill, has lightened it somewhat, and yet we have the honourable member from Oak Ridges suggesting that there continue to be stakeholder who say that we're being too harsh. I believe that the bill we are discussing now is a very fair balance. We encourage people to continue to bring us their ideas before third reading debate.

**The Acting Speaker:** The Chair recognizes the member for Hamilton East in response.

**Ms. Horwath:** Notwithstanding the minister's protestations and insinuations, hindsight is 20:20, and we did observe the way this process, which she protests is so normal—but we also have watched how process can sometimes be used to the advantage of people who are trying to achieve a certain end. In this case, that end was to fiddle around with the bill. It's interesting, because in her remarks she talks about all of these commendations that were received for the bill. I'd like to know whether those commendations came before it was watered down and before the process was gerrymandered with or if they came after. I know what my suspicions are.

Nonetheless, the bottom line is that there was a unique process that was used, or at least one that's not very often used, but for a specific end, and that end was to make sure that their friend Warren Kinsella and his new band of industry polluters that they were interested in hearing and interested in placating and interested in giving plums to get their licks in before anybody else could. That's the reality.

How do we know that? We know that because, before the committee could even debate the bill, the minister was bringing all of the amendments that those very lobbyists wanted. So if that's not an abuse of the process, or at least if that's not a way of using a process to get an end that you are trying to achieve without having the scrutiny of this Legislature and this House in a way that should have been done through the members of this Legislature debating the bill, then I don't know what is.

The bottom line is, we are going back to committee very soon with this bill, and New Democrats are certainly hopeful that the government will have a change of heart and make sure that polluters are dissuaded from polluting our environment.

**The Acting Speaker:** Further debate?

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** We are debating Bill 133, known as the spills bill. Much of this legislation is in reaction to a number of incidents on the St. Clair River a year and a half ago, as we know.

I just received the bill this afternoon at my desk in the Legislature. It's now something like 80 pages long. I know it was 40 pages when it was introduced. I can understand that, because there have been, at this point, well over 70 government amendments, and of course amendments from the opposition and from the third party. At one point during committee, we were given



about 130 pages of amendments, and during clause-by-clause—let's assume for good reason—we were handed a number of amendments. The clause-by-clause took two days to get through the 70 amendments. On the second day of clause-by-clause, amendments were being sprung on us, if you will, that were seven pages long.

Obviously, the government and other stakeholders are doing an awful lot of work in trying to get this piece of legislation in order. It does require more work. I think most people agree that it should go back to committee for more hearings and more deliberation. Sometimes this happens when there is a reactive approach, in this case to the spills on the St. Clair River.

Let's go downstream to Detroit. I've got a copy of the Detroit Free Press here. There's an article concerning a spill on the Rouge River in Detroit. This was a 2002 oil spill. Much of the estimated 255,000 gallons was believed to have been swept downstream by the Detroit River into Lake Erie. I live on Lake Erie. That's something that obviously bothers me. I own land out on Long Point, which actually stretches almost halfway across Lake Erie. They checked the bottom of the Detroit River where it enters Lake Erie. They couldn't find any oil but, again, it has gone somewhere. This is a concern. The monitoring is a concern. I don't see that addressed in this particular piece of legislation. They were obviously able to measure some of the damage. Ten birds were killed; two turtles died. Obviously, you can measure that kind of damage.

The Coast Guard came in with booms and cleaned up some of the surface residue, so again some remediation was attempted, and some attempt to prevent additional damage, albeit after the spill. Again, it's an ominous reminder of what can still occur in spite of our best efforts.

#### 1640

There's a long history of problems on the Rouge River. That's a river that caught on fire a number of years ago. You know, years ago—this would be in 1948—a number of very angry duck hunters and other sportsmen who would hunt in the marshes on the Detroit River showed up in Lansing, at the Michigan state Capitol. They dumped truckloads of dead ducks in front of the state Capitol. That went a long way to changing attitudes in Michigan and elsewhere across North America, especially when a river catches on fire.

So we do have other allies out there beyond lawyers and environmentalists. We have duck hunters. I used to hunt ducks on Lake Erie—again, I guess I have a vested interest. The dive community: underwater divers are exposed to this kind of pollution that occurs so often. In a sense, they're the canary in the coal mine. They're our early identifiers out there who can essentially serve as an early warning system. Firefighters: I think there's a lot more that municipal firefighters could do if they were given the training and the equipment to come in—they are oftentimes the first on the scene—and to be there to assist with rapid response.

I mentioned the Rouge River catching on fire. In Cleveland many may recall the Cuyahoga River caught

on fire twice, in 1969 and in 1952. That's an awful lot of pollution in a river, when it catches on fire. I understand that fire was something like 50 stories high. It pretty well destroyed two railway bridges. The August 1, 1969, issue of Time magazine describes it: "Chocolate brown, oily, bubbling with subsurface gases, it oozes rather than flows. 'Anyone who falls into the Cuyahoga does not drown,' people joke grimly, 'they decay.' The Federal Water Pollution Control Administration" described, "the lower Cuyahoga has no visible life, not even low forms such as leeches and sludge worms"—and I'm not referring to anyone across the way.

When people think of oil spills, it's like garbage: We don't think about it once it's been put out on the curb. Much of the media focuses on oil spills on the high seas. I travelled in England in 1967 just after the Torrey Canyon went down. That was 38 million gallons of crude oil off the Scilly Islands. That became a tourist attraction that summer. It was a media attraction. I found that quite regrettable. In 1978, the Amoco Cadiz went down off the coast of France—68 million gallons of oil. The next year there was a blowout in the Gulf of Mexico. That was the oil well Ixtoc. It blew out and spilled an estimated 140 million gallons of crude oil. I know they indicated there wasn't much environmental damage. Again, who knows? I guess it just disappeared. In 1989, we all recall when the Exxon Valdez hit an undersea reef. That was the largest oil spill, at that point, in US history: 10 million US gallons. In 1991, the Gulf war—a number of people in my riding fought in the Gulf war. In fact, I lost a cousin who I'd never met. He was one of the first ones killed in the Persian Gulf war. As that war was being won, Iraq deliberately released, the estimates are, somewhere between 240 and 460 million gallons of crude oil into the Persian Gulf. Again, at that time, during the Gulf war, US warplanes bombed the pipe systems to try and stop the flow of oil into the gulf. I'm not suggesting by any means that the US military bombs facilities in Sarnia, but that was obviously the remedial effects that were taken during the Gulf.

So many other spills, the river spills that have generated this kind of legislation: In the year 2000, in the Mississippi River south of New Orleans, an oil tanker, Westchester, went down at Port Sulphur, Louisiana. This now became the largest spill in US waters since the Exxon Valdez went down.

Even as horrendous as these statistics appear, oil spills account for only about 5% of the oil entering the oceans. There are other, bigger problems. Sewage treatment plants discharge twice as much as any of these oil tanker spills.

Other products: At this point now in North America, 65,000 chemicals are used commercially. Every year there are about 1,000 new chemicals added to the list. The most frequently found item in cleanups: pieces of plastic. The second most frequent item: plastic foam, plastic utensils, pieces of glass and cigarette butts.

I wish to use that to set the stage, if you will, with respect to our deliberations this afternoon on spills. I

have tried to make the point clearly that this legislation should go back for hearings, that it should go back to the drawing board. Perhaps we shouldn't even be debating it right now, because I detect in the phone calls and letters and faxes I receive that there is a tremendous amount of confusion among all our stakeholders with respect to those 70 government resolutions, and counting, for this particular bill.

As we know, it was introduced October 27, 2004. It focuses on penalties, not fines: administrative penalties or environmental penalties for individuals and companies responsible for illegal spills. Bill 133, the spill bill, to my mind really, even at this point, with a plethora of amendments, seems only useful after the fact and after the spill. In some quarters it's known as the "spill and get a bill" approach, an approach I feel is limited in its effectiveness as a virtual standalone method of deterrence.

I raise the question, where is the coordinated, proactive approach to prevention? There has been a modicum of attempt in the amendments. The PC Party certainly put forward amendments with respect to prevention. We ask for that same coordinated, proactive approach that was called for in the government's own study, its own IPAT report. That is the Industrial Pollution Action Team that was formed by this government. It provided advice and recommendations, which to my reading, and I've read that report a number of times, have all but been ignored by the present government.

The minister responded on receiving the IPAT report. It came out in early August of last year: "We will be developing an action plan on industrial pollution that will be like nothing my ministry has ever developed before." So we all stay tuned. If Bill 133 is anything to judge by, this government's approach really sounds like it's pretty well going down the same old road, the old-school approach, the command-and-control approach: keep fining and fining and administering penalties after the damage has been done. This legislation is reactive. Very clearly, as was mentioned earlier this afternoon, it is adversarial. It's stuck in the command-and-control school in dealing with environmental issues, and obviously this minister and this government have decided to kick at old-school on this one.

1650

The minister's news release on the IPAT report: "The Ontario government will act on the recommendations in the final report of the Industrial Pollution Action Team," a team led by the highly regarded Dr. Isobel Heathcote, University of Guelph. In looking at the IPAT report and reviewing the recommendations, I do not see that reflected in the amended legislation before us today.

There were a few small lines in that final report about penalties. The government picked up on that. There was no discussion of penalties at all in the executive summary of that report. We have a piece of legislation, I think we all agree, that focuses on penalties. I remain concerned, after seeing 70-plus government amendments, after seeing several seven-page amendments that arrived at the 11th hour.

What goal do I see in this legislation? In my view, clearly there will be an enhanced ability to subtract more money from the private sector by very simply just sitting back and waiting for the next spill. Again, take a look at the executive summary and there is no mention of penalties there.

I will quote some sections from the IPAT report, from the executive summary.

"We believe that a long-term solution will require a multi-pronged approach including:

"—Introduction of regulatory requirements for pollution prevention plans, spill prevention plans including multiple barriers, and spill contingency plans....

"—A legislative framework that incorporates economic or other incentives to go beyond compliance.

"—Regulatory requirements for operator training....

"—Improved spills notification and routine communication systems, including resolution of jurisdictional confusion."

In the bill we were handed there was no mention of spills prevention, no mention of contingency planning, no mention of jurisdictional coordination, no incentives, no training, nothing even approaching a multi-pronged approach, as was called for by the government's own report. I will note there is not one mention in the executive summary of tougher penalties for industrial polluters.

What I doubt, given the report and other findings, is that penalties can be effective without legislating improvements to prevention. You also have to bring in improvements to monitoring. You have to bring in a better system of jurisdictional coordination. The St. Clair River is bounded by the state of Michigan and the province of Ontario. You need much more work on enforcement, which was mentioned by the member for Oak Ridges, and obviously prevention. What is lacking are those carrot incentives that were advocated by the government's own report.

All that said, I find it curious we are debating a bill that in the last week has gone through such a large list of amendments, well over 130 pages of amendments. It does beg the question, at what point and after how many amendments should this whole process actually be scrapped altogether? Barring that, should it be sent back to the drawing board? Is one day of committee hearings enough? I asked that question in the Legislature when I first received that hefty package of amendments.

The minister may recall my pointing out 70 amendments that will leave Bill 133 unrecognizable—it's actually 70 and counting—70 amendments that suggest this bill is seriously flawed, 70 amendments that essentially say, "Minister, go back to the drawing board."

I again ask, at what I still consider this early juncture—we're just an hour and a half into second reading; I note that this legislation has been on the books since last year, and only now are we beginning second reading debate—should we consider what some stakeholders consider a bit of a charade? Where does it go from here? Will this be left to the minister's successor to get it right?



Of course, that's not what the minister has done. She's continued on what we consider a curious path with this legislation, a path that included no consultation with stakeholders before the bill's introduction. It was followed by months of silence over this past winter, and then, lo and behold, there were a couple of days for stakeholder consultation—I attended one of those days—and another month of silence, during which I get the feeling this government was getting its ear bent by one or two of its old lobbyist friends.

Then we had a short two days of committee hearings, followed by that epic novel, that War and Peace, of amendment packages. They arrived the day before clause-by-clause, really not enough time to go through them adequately in order for opposition to comment. Once those amendments went through, we had a book of legislation that's twice as big as it was a few months ago. I consider it unrecognizable. In fact, as I've mentioned during clause-by-clause, some of those additional amendments, on top of the original 70, were seven pages long. We would receive them just before we were to vote on them. I find it bizarre, and I know that in some of the testimony in hearings it was described as bizarre.

I'd like to read in a motion that I discussed during those hearings. I quote:

"Bill 133 is now so far off course it needs to be scrapped to make a fresh start and get it right. There have been so many amendments proposed—over 70 from the government alone—in such a short time frame that it's difficult to assess whether the amendments will truly address the fundamental flaws contained in Bill 133. I urge the government and this committee to find a way to instruct the ministry"—maybe I should have said "to advise the ministry"—"to immediately begin working on effective spills prevention legislation, using the sound work of IPAT and stakeholder consultation as a foundation."

I had presented a similar motion previously. This may give you a bit of a flavour for the convoluted process to date, and I think it will continue this afternoon and perhaps next Monday and Tuesday:

"Given that to get Bill 133 to an effective yet fair and balanced state would require almost total amendment; and

"Given that an amended version of the bill already exists, but we are all using up valuable time working on an obsolete draft"—this is during committee—"and

"Given that it would be an unfortunate waste of good resources to find ourselves working on clauses of the bill that have already been removed by the minister's office,

"I recommend that we finish the hearing, drop the bill completely and instruct the ministry to immediately begin working on spills prevention regulations, using the sound work of IPAT as a foundation."

I will point out that as of this afternoon, we are debating a piece of legislation and 70-plus amendments not knowing what other amendments may show up on Monday. We're debating a piece of legislation where we have no idea what else is going on. Are we halfway? Are

stakeholders only happy with maybe half of the 70 or 72 or 73 amendments made? Are we looking forward to another 70 amendments?

I appreciate the members opposite bearing with my reading of the motions. You know, we were there listening to public submissions on clauses to a bill that had already been removed by the minister. Many considered that process a colossal waste of time, and hence I think we will see that process repeated, perhaps not to the extent that it was before, but I anticipate at least one more day of hearings. We'll find out what changes have been made in the backrooms on Monday.

1700

It was very confusing for all involved. Many in the environmental community are balking at more amendments. They are concerned that this government is bending to pressure. I also get faxes and phone calls from people in industry who feel we're only halfway on this, and I regret that uncertainty in this case reigns supreme.

When the Minister of the Environment kicked off debate this afternoon, she made reference, she used some endorsements—I think she used the term "endorsements" from a number of organizations that have communicated with the minister. She used an endorsement from the Ontario Forest Industries Association. I also would like to pass on some of the testimony during the hearings from Craig Gammie, who, on May 16, addressed hearings on behalf of the Ontario Forest Industries Association, and I will quote.

"On Thursday, I think, Mr. Marchese called it odd that we were making deputations on a November 2004 version of the bill while the minister's draft 2, with many amendments, is sitting in her office. We've heard about them but we haven't seen them. I'd describe it as bizarre. What it means is that in the clause-by-clause analysis, you might spend two or three hours looking at a particular clause on Thursday that doesn't even appear in the draft on the minister's desk. This, to me, is a waste of legislators' time and it's a waste of our time"—that would be the time of the Ontario Forest Industries Association—"time we should all be spending on solving the problem, time we should all be spending on spills prevention regulations."

Mr. Gammie of the Ontario Forest Industries Association—I know the minister has been quoting the association today—went on to say, "I hope you have the courage to recognize what a huge mistake Bill 133 is, and has been, and what a huge mistake it would be to throw good resources after bad. I hope you will drop Bill 133 completely so we can get on with the spills prevention regulations and then address instant municipal compensation. We're ready to help," he said. That was from the Ontario Forest Industries Association. I know that the minister brought some of their information forward this afternoon by way of endorsement.

Mr. Gammie was right. Mr. Marchese did point out some of the oddities of this government's approach on May 15. I'll quote Mr. Marchese, if I may; he's not here this afternoon:

"Normally we have second reading debate in the Legislature. It gives the critic and others an opportunity to speak to the bill: both its strengths and weaknesses. Then we come and listen to the various participants who are in favour of the bill or opposed to it. On the basis of that, we make amendments—the opposition and the government—and we move forward on the basis of what we hear.

"The strangeness of this procedure is that the minister comes here and indicates that there will be a number of amendments in some areas. Of course, we don't have a clue to what it is that we are responding to—and I find that particularly odd. I'm assuming that others in the public do, too. We don't have the amendments. We don't know what they are. We haven't heard from the deputies about their views on this bill and the possible amendments that may be coming. I just want to say for the record that I find it odd. I'm assuming the public finds it equally strange. Why the government has pursued this course versus the normal course is beyond my comprehension."

Now, Mr. Marchese—and I don't necessarily always agree with everything Mr. Marchese says, but I must say that this process also is a little beyond my comprehension. Again, 70-plus amendments, more amendments on the way, perhaps over the weekend. All told, all three parties submitted 123 pages of amendments, additional amendments arrived that were seven pages each and more are on their way.

All that said, the minister has yet to do the right thing and take this back to the drawing board. So I guess at this point we are left to continue this bizarre charade.

I will point out a letter I received from CELA, the Canadian Environmental Law Association. Again, at the time of writing, they supported that bill, but they don't want any more amendments. I just quote in part, "Please be advised, however, that our support is contingent on there being no further government amendments to the bill that weaken any of its provisions or reduce its applicability to business operations in Ontario." So obviously we're getting a plethora of messages, and we're getting mixed messages on this particular bill.

I have here information received from Michigan Senator Carl Levin on the spills bill. This was a news release he sent out last September, and in this he indicates—and again this was the Michigan state and US federal legislators' reaction to those spills on the St. Clair River. He indicates:

"US Senators Debbie Stabenow"—Democrat, Michigan—"and Carl Levin"—Democrat, Michigan—"and Representative Sander Levin"—Democrat, Royal Oak—"are urging Secretary of State Colin Powell to coordinate with the Canadian government in developing and implementing a plan that would prevent future chemical spills into the St. Clair River." He's obviously making reference to spills coming from us guys, coming from Ontario.

"The letter, which calls for swift action"—this is the letter to Colin Powell last fall—"to head off future

spills,"—in other words, prevention—"follows a letter the Michigan lawmakers sent Powell earlier this year, which detailed several major spills of contaminants into the Great Lakes waterway from Canadian companies. Responding to the Michigan lawmakers' initial call for action, the Canadian government studied the problem"—why are we not surprised?—"and issued a report"—that would be in keeping as well—and they made a proposal for a "cleanup timetable, but the lawmakers are urging the Bush administration to ensure that the Canadian government follows through on the report's recommendations."

What report is he referring to? He's referring to the report by Dr. Isobel Heathcote, the IPAT report, the Industrial Pollution Action Team, a team that was put together by this government. Michigan legislators are asking our Minister of the Environment to follow the recommendations of her own report.

There is a bit of a succinct summary, again, from the office of this United States senator, of what happened on the St. Clair River in March of last year. This is in the letter to Colin Powell: "As you know, we also wrote you on March 10, 2004 regarding the numerous chemical spills by Canadian industry into the St. Clair River. Over the past year, Canadian industry has spilled 650 pounds of vinyl chloride monomer, and 42,000 gallons"—that would be US gallons—"of methyl ethyl ketone and methyl isobutyl ketone, polluting the drinking water supply and posing serious health concerns to downstream communities in southeast Michigan."

1710

When I think of a downstream community in southeast Michigan, I think of Detroit. An awful lot of people live in Detroit. There are probably as many people living in the greater Detroit area as in the province of Ontario. Where does their drinking water come from? It comes downstream from the St. Clair River and the Detroit River.

Senator Levin goes on: "The Ontario Ministry of Environment has taken action to prevent future spills. The Industrial Pollution Action Team's report and recommendations call for a timetable and development of an action plan in five main areas: spill prevention, spill detection on- and off-site; spill response and notification; human and ecosystem health impacts; and communications."

Again, obviously, Michigan lawmakers support the IPAT recommendations. Why would our Ontario government members not support the recommendations of their own report as well?

I have not really had a chance to address the IPAT report itself. I'll begin, in much the same place the report does, by examining the first of their concerns, that being the lack of preventive, proactive measures to ensure that this province is protected from spills before they happen, not after they happen.

I think everyone would agree that rather than simply being judicious in quickly and thoroughly cleaning up spills, it would be much better if we ensured that spills



didn't happen in the first place. Unfortunately, I don't see that direction in Bill 133.

The IPAT report was quite clear in stating that prevention is currently being overlooked. It seems that this government has had a hard time finding the section or has ignored that section. It does not seem to be reflected in the original legislation. We will see what kind of amendments come forward over the weekend.

The members can certainly read along, if they take a look at the IPAT report, under the heading "Finding 1: It appeared to us that there was no regulatory requirement for pollution prevention or spill prevention under Ontario environmental legislation. Generally speaking, we found no preventive regulatory framework at all. Instead, existing systems appear almost entirely reactive rather than preventive."

The government had a chance to change all this with their new law. I feel they blew it even before it got to second reading.

I quote further: "We found no mention of required pollution prevention plans, nor of positive incentives to go beyond compliance levels."

Again, that brings us to that carrot-and-stick approach as opposed to what I see as the current spill-and-bill approach. This is referenced in their next line.

The quote from the government's report continues: "Rather, our perception was of a system heavily focused on punishing offenders"—so that's where we are now—"rather than supporting and rewarding companies with excellent compliance records and those that attempt environmentally protective innovations."

Again, this came from the government's own committee of experts.

That system of punishment, with no reward, is the same system being advocated and enhanced by the legislation we are debating today.

The report later points out in finding number 4, "Fines are not a sufficient deterrent," as they "may be perceived as simply the 'cost of doing business.'" I know that has been raised in this Legislature; I know the NDP opposite have raised that issue. It further states that "there is little or no incentive" to participate in "existing voluntary pollution prevention opportunities." Maybe this is the lesson we can learn from that series of occurrences that happened on the St. Clair River a year and a half ago.

It's interesting that this came forward at the time it did: a year after a subsidiary of a company that Finance Minister Greg Sorbara was a director of was responsible for three spills into the St. Clair River, spills that the ministry was not notified of for several days. The original Bill 133 has legal provisions for board directors. I'll quote from the bill's explanatory note: "The bill expands the duty of directors and officers of corporations so that they must take all reasonable care to prevent the corporation from contravening any provision of the legislation. The bill also provides that a person charged with the offence of failing to carry out that duty has the onus of proving that the duty was carried out."

In 2003, Royal Polymers, a Royal Group subsidiary, was responsible for three chemical spills—two in August 2003 and one in November—and the company failed to notify the Ministry of the Environment or anybody on the American side of the river. No one was notified of these spills for a number of days. In fact, the Ministry of the Environment launched an investigation into why it was not notified for so many days about two separate spills of what's considered a deadly chemical into the St. Clair River. Municipalities like Chatham-Kent and Windsor were only advised about the spills four days after the second spill. This was a vinyl chloride spill. It's used in the polymer-making process. This is the spill from Royal Polymers that entered the water system almost a week after an initial spill during the power blackout at that time.

I guess my point here is that despite the existence of "tough environmental penalties," the spills were not stopped and, in fact, were allowed to travel further downstream with no action, while people in the greater municipality of Chatham-Kent, the Windsor area, Detroit and native communities, and within the Ministry of the Environment itself, remained completely in the dark, even well after that infamous electrical blackout had ended.

A few short months later, yet another incident at Royal Polymers again underlined the need for prevention. It underlined the need for a more proactive approach, rather than simply having punishing penalties that only kick in after the damage has been done and, as we see in the context of the existing proposed bill we have before us now, focusing on penalties. Existing legislation, existing fines, failed to prevent a third spill, estimated at 828 kilograms of toxic vinyl chloride.

1720

I don't mean to pick on Royal Polymers. The fact is that industrial spills of this type occur all too often—I think the minister made reference to that earlier this afternoon—spills that could be prevented in the future if this province would embrace a more incentive-based, preventive approach rather than going down that old road, the old-school, command-and-control approach of ever-higher penalties, ever-higher fines. Again, as the NDP have indicated, many of these penalties can be written off as a business expense. So my point is that fines, penalties alone, didn't stop spills in the St. Clair River, and I do indicate that the Royal Polymers spills were really the tip of the iceberg when it comes to the poor old St. Clair River.

On February 1, 2004, there was a spill from Imperial. About 42,000 gallons of methyl ethyl ketone and methyl isobutyl ketone spilled into the St. Clair River. Those two products were mentioned in the concern by Michigan lawmakers in their communications with Colin Powell. Low-toxicity solvents are used in the manufacture of lubricants, but fines didn't stop those spills.

On February 16, Dow detected an unknown chemical in its water intakes from the St. Clair River. Officials on our side never were able to determine where that chem-

ical originated, although we do know where it was. It was in the St. Clair River. Again, the system of fines, the existing fines in place, were not enough to prevent that particular chemical from getting there.

In March 2004 the OPG plant, the Lambton generating station: 3,989 gallons of wastewater ended up in the St. Clair.

On April 29, 2004, Suncor had a spill. An undetermined amount of both benzene and toluene went into the river.

My point is that fines for spills have proven ineffective as a stand-alone approach in stopping industrial spills into the St. Clair River, into the St. Lawrence River, into Lake Erie or Lake Simcoe. You can't hang your hat on a piece of legislation that focuses just on fining people after the fact. It's an ineffective approach, and my concern is that the penalties being discussed today are also stand-alone—the new administrative penalties, or the environmental penalties, as they are labelled. I consider it a continuation, tipping toward the heavy-handed method in this case of filling government coffers, while doing very little to stem the amount of product going into the water in the first place. It does little to stem the number of spills in this province.

Here we are debating the Liberal government's answer to the problem of industrial spills, and all we have before us is a revised version—an enhanced version, if you will—of what I consider fairly unilinear, myopic spill-and-bill legislation. We know in so many cases that both myself and the Minister of the Environment identified today that it failed to prevent it, failed to put an end to it in past years.

I again remind this government of the number one finding of its own Industrial Pollution Action Team, and I will quote that finding: "It appeared to us that there was no regulatory requirement for pollution prevention or spill prevention under Ontario environmental legislation." So we were told; we knew what was coming, coming into this creation of legislation. "Generally speaking, we found no preventive regulatory framework at all. Instead, existing systems appear almost entirely reactive rather than preventive."

I want to reiterate that it mystifies me why this government would step up, set up an action team, put months of work into a study and report development, and then essentially turn around and ignore 90% of the report's recommendations, essentially doing nothing but announcing tough penalty legislation and stating, "We're transforming our approach to industrial polluters." The minister indicated earlier this afternoon, "We should all be proud of this legislation." I am suggesting that we have fallen short. It's a bit of a disappointment. We haven't gone far enough with respect to prevention, with respect to providing incentives for compliance. We've ignored issues of jurisdictional coordination, the need for better training, the need for remediation and cleanup.

So as far as "transforming our approach to industrial polluters" is concerned, nothing could be further from the truth. This is the same command-and-control approach

we have seen for many years through the Ministry of the Environment. There has been no transformation. I consider this someone's myopic obsession. It will subtract more money from the private sector; I give the legislation that. I'm not suggesting that's a good idea and I'm afraid that, given this province's recent industrial spills history and the recommendations of this government's own Industrial Pollution Action Team, their own report, this unilinear approach is just not good enough. Old school does not cut it any more.

What surprises me is that the findings of the IPAT report were so broadly ignored, despite a series of 33 recommendations that provided the government with a very clearly well-marked road map for a comprehensive, preventive, coordinated approach. It is a road map that begins with recommendation 1, calling for "the development of regulatory requirements for pollution prevention." Part of that, according to the report, would include the legislative requirement for spills control plans and what the IPAT team refers to as "a less adversarial, more collaborative relationship with dischargers than is currently the case."

Now, what do we find in the way of planning provisions in Bill 133? The new version of the bill—which will over the weekend become the old version or the second old version of the bill—after over 70 government amendments now holds that regulations will define cases for which plans will be required. I really wonder, given what some describe as the sham of this entire process to date, whether we can count on the regulations relating to the concerns that are before us coming from the government's IPAT report.

1730

That was one reason I made an attempt to remind this government where they were supposed to be heading by introducing an amendment. During clause-by-clause, a motion was put forward. It was titled "Pollution prevention, spill prevention and spill contingency plans." This was a PC motion—bear with me. It read:

"18.1 Every person to whom Ontario regulation 537/93, 760/93, 560/94, 561/94, 562/94, 63/95, 64/95, 214/95 or 215/95 applies shall, within six months after this section comes into force, develop and implement plans described in paragraph 7 of subsection 18."

I appreciate you bearing with that, Speaker. That was probably one of the shortest amendments. I think you may understand why we tried to move along as quickly as we could. It took us two days to read in the amendments to this legislation. You can imagine 130 pages of amendments; this is about five lines.

**Mr. Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** That's what happens when you listen.

**Mr. Barrett:** Someone across the way just said, "This is what happens when you listen." Maybe the government will listen over the weekend and maybe we will see a piece of legislation on Monday—again, to use the Minister of Environment's words this afternoon—that we should all be proud of. I'm hopeful. The environment is that important; the St. Clair River is that important. Close



to half the people in Michigan drink out of that river. We're talking about Detroit; they have a concern. The US federal government has a concern. They already had a concern with hundreds of truckloads of garbage that have been shipped to that state. There are concerns over there. This bill has no measure to deal with any of these cross-jurisdictional issues. I guess we just have to pick up the Detroit newspapers to find out what they think of us.

I will refer to finding 4 of the action team report. Finding 4 further touches on the need for a change in thinking with regard to Ontario's industrial spills, and a change of thinking is required with respect to a spill strategy in this province. I will quote the government report:

"Existing voluntary pollution prevention opportunities are limited and there is little or no incentive to participate in them.

"Many economic incentive models are in use elsewhere in the world, and could be adapted for use in Ontario."

Yes, this is, for this government, the elusive carrot to accompany the ever-present stick that the government intends on wielding through this legislation, a stick that is used to extract money from corporations. Specifically, the government's report—this is the IPAT report—makes reference to Sweden, Denmark and Germany as countries with a reputation for environmental stewardship that employ other approaches that are currently not in use in Ontario. The report goes on to point out, "It would be worth examining these alternatives. Ontario's current system specifies benchmarks and punishes offenders, but may not provide sufficient positive incentives to go beyond compliance levels."

Again, I think of companies in my riding; I think of an oil refinery. Before being elected, I served as a consultant to this oil refinery with respect to staff training. This refinery is relatively new. It's probably the newest refinery in the province of Ontario. I consider it state-of-the-art. Millions and millions of dollars have gone in over the last 15 or 20 years to continue to upgrade this refinery. They do everything they can to ensure that they don't have spills. I would use the term "due diligence"; they could not be accused of not practising due diligence. This refinery has experienced a couple of spills. I was visiting the site this winter where one occurred. These things do happen, in spite of the best intentions and the best work that is done. Again, I've been in and out of that facility, oh, 12 or 14 times, and that company does its best, in my view, to go beyond compliance levels.

While the present government may not be interested in examining the alternatives presented in their own government's report, I can tell you that in my research, I came up with a very interesting report, actually, on environmental incentive-based programs that are being conducted in Sweden. If anyone wants to look this up, the title is Financial Incentives to Improve Environmental Performance. The article states, "On the basis of economic analysis, it has been argued that supporting environmental R&D, technological innovation and diffusion

provides firms with very appropriate means to avoid damaging the environment, and that it ultimately has a positive effect on economic growth." This report on the situation in Sweden goes on to indicate that, "Three main forms of environmental incentive are utilized by European governments. These comprise grants, soft loans (offered at below-market rates of interest or with repayment holidays) and tax concessions through accelerated depreciation allowances."

Going back to the first one, "Grants tend to dominate, particularly amongst environmental technology schemes—"

**The Acting Speaker:** Thanks very much. It's time for questions and comments.

**Ms. Horwath:** Unfortunately, my critic wasn't able to get back, and so there were a couple of things I thought I should get on the record. One is that the NDP did put a few amendments forward during the process of the committee hearings, one which we thought was important, and that was to be able to ensure that there is an annual report filed on March 31 of each year that would document environmental penalties, with all of the details, including the settlement agreements and how effective those were, the point being the second amendment, which was that then every five years there would be an opportunity to review environmental penalties.

I know my critic was extremely concerned about some of the government amendments, not only the technical ones that industry was able to gain as a result of their huge lobby, but also specific wording of ones that in effect water down the effectiveness of this bill, changing some of the language, words like "likely" and "may," which sound like legal jargon but in fact do have an effect because they create problems in thresholds of ability for experts to be able to participate and put their opinions on the record. The difference in the thresholds represented by "likely" and "may" is a very important distinction from a legal standpoint, because it's much easier to get an expert to state that there is a potential for harm than it is to get an expert to state that there is a likelihood of harm. Unfortunately, the government decided on the threshold that doesn't provide the protections we need.

There are also a number of other problems that we had with the bill. One of those I already mentioned was the removal of the responsibility for high-level decision-makers. Meaningful legislation is needed that requires pollution prevention planning, which this does not do. We need higher standards for air and water emissions, which unfortunately this does not do, including an updating of all MISA regulations. We need increased enforcement. This does not do that. That's all the time I have, so thank you very much.

**Hon. Mrs. Dombrowsky:** It provides me with an opportunity to speak to the remarks made by the critic for the official opposition, and I really thank him for basically making the case why we are debating this bill today. He gave a litany of spills that have occurred recently, particularly into the St. Clair River, and it is precisely for

that reason we believe it's important to introduce a bill that will require those companies that spill to compensate communities immediately. When those spills happen, there are costs within communities. The honourable member said, "This is obviously designed to take money out of the private sector." We believe that if the private sector spills, they should pay for its cleanup, not the taxpayers of Ontario. Obviously, the opposition is in favour of polluters. We're in favour of protecting the people.

1740

He went on at great length about what was contained in the Industrial Pollution Action Team report, the IPAT report. I'm very happy to share with the members of this Legislature what Dr. Isobel Heathcote, the co-chair of the IPAT team and a professor at the University of Guelph, has had to say about Bill 133. She would say, "I am delighted to see the McGuinty government taking prompt action to manage spills in Ontario's environment. The proposed actions are substantive and groundbreaking and will go a long way toward improving the quality of Ontario's lakes and streams."

Finally, I would just like to invite the honourable member to review the copy of the second reading report that we are debating in the Legislature today. Section 13.1 indicates, "The act is amended by adding the following section: Spill prevention and spill contingency plans," and the section goes on to describe that companies will be required to have spills prevention and spills contingency plans, which was the point that I thought the honourable member—

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** He should have read the bill.

**Hon. Mrs. Dombrowsky:** He should have read the bill.

**Mr. Mario Sergio (York West):** I want to congratulate the Minister of the Environment for bringing forth this bill. If we heard one thing very loud and very clear in the House today, it is that indeed this is a very important piece of legislation. Of course, some members may say, "It is, but it is not perfect." I think that's one of the reasons why the minister decided to forward the bill for public hearings and consultations, and we did.

I am one of the fortunate members in that I sit on this particular committee. We have heard a number of deputations from various people who have shown concern in addressing the content of the bill, and other people who say, "It's about time that the government gets serious with respect to the environment."

This is a strong message that both the minister and the government are sending to our business and industrial community out there. We have to take into consideration that in Ontario alone, we have had over 1,000 spills per year. We must send a message that we have to hold those people accountable because our environment is a major concern and the government takes it very seriously. I'm sure that the members on the opposition side also take it seriously.

The minister, rightfully today, has introduced a number of amendments which allay some of the fears both

from the opposition side and from some of those various agencies and industries that have said, "We have some concerns."

This is one step closer to bringing some accountability. Let's move it on. Let's approve this for second reading and let's make it better.

**Mr. Levac:** I appreciate the opportunity to make a few comments. I want to come back to something I said a little earlier in my first two-minuter and reinforce exactly what we are trying to accomplish with this piece of legislation, reminding us of a couple of things.

First of all, one individual piece of legislation is not going to change the environmental world. But successive pieces of legislation that we've been building on the shoulders of previous legislators, and the things that we're going to be accomplishing in the future, are something that we're pointing ourselves—it's like turning that big Queen Mary around and moving things toward a better world.

Two things: I know that the member for Haldimand-Norfolk-Brant appreciates this very much because it's in his very riding that I've learned an awful lot about what the environment means, and that is through the Six Nations. Our First Nations people have taught us about seven generations. Seven generations simply says, "Don't do anything to the planet that you wouldn't want to have happen seven generations from now so that those great-great-grandchildren will inherit something that's cleaner and better than when you left it." That's about 10,000 years old in terms of a philosophy of seven generations. So to the First Nations people I say thank you for those lessons that we've learned.

Second, I also want to suggest to you that we've created a situation called conservation authorities that have for the longest time hired experts in the field, and in our shared riding—I know for the members from Wellington, Haldimand-Norfolk-Brant, Cambridge and others—we have the Grand River Conservation Authority. That is an amazing organization that doesn't look at boundaries. They look at it as a watershed that needs protection. I know the member opposite is looking at me and saying, "You know what? We're right," because we both have that. I know the member from Haldimand-Norfolk-Brant feels the same way. It's an extremely talented Grand River Conservation Authority that is doing a superb job of exactly what we're trying to accomplish in this legislation, and I encourage us all to support this legislation.

**The Acting Speaker:** In response, the Chair recognizes the member from Haldimand-Norfolk-Brant.

**Mr. Barrett:** The response from the member from Hamilton East is appreciated. I was looking forward to Marilyn Churley from Toronto-Danforth presenting. She has done so much work on this issue. I also notice the member for Trinity-Spadina was thrown into the fray at the 11th hour and I thought he did an admirable job.

We received some excellent input from both the environmental community and the businesses and companies that are directly affected by this. I would encourage



anyone to take a look at that Hansard testimony. Most importantly, the minister made mention of Dr. Isobel Heathcote, University of Guelph, the lead on the Industrial Pollution Action Team report. I encourage all of us to take a look at that report. There are some excellent recommendations that obviously have been ignored. I've read it many times over. I think it provides a recipe book for this government, for future governments. I was very impressed.

I will let Mr. Levac know that, as I recall, the native community was represented there. I have an interest in this. My hometown is Port Dover. As well, I represent a long stretch of the Grand River as it flows through the Six Nations territory, downstream from Brantford, downstream from Kitchener-Waterloo. We don't need any kind of Ohio River or Mississippi spill in our ridings.

**The Acting Speaker:** Further debate? Any reply from the Minister of the Environment?

**Hon. Mrs. Dombrowsky:** I want to thank everyone. I very much appreciate the opportunity that we've had this afternoon to debate the issues that relate to Bill 133.

**The Acting Speaker:** The Minister of the Environment has moved second reading of Bill 133.

Is it the pleasure of the House that the motion carry? The motion is carried.

Shall the bill be ordered for third reading?

**Hon. Mrs. Dombrowsky:** I would ask that the bill be referred to the standing committee on the Legislative Assembly, please.

**The Acting Speaker:** Agreed? So ordered.

## COMMITTEE SITTINGS

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr. Speaker: I seek unanimous consent to move a motion without notice respecting the standing committee on the Legislative Assembly.

**The Acting Speaker (Mr. Joseph N. Tascona):** Is there unanimous consent for this motion? Agreed.

**Hon. Mr. Caplan:** I move that, in addition to its regularly scheduled meeting times, the standing committee on the Legislative Assembly be authorized to meet on Monday, June 6, 2005, to consider Bill 133 as follows:

In the morning, the committee may conduct public hearings on the bill, and in the afternoon the committee shall meet for clause-by-clause consideration of the bill; and that the committee be further authorized to meet beyond 6 p.m. if required for completion of clause-by-clause consideration.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Is there anything further?

**Hon. Mr. Caplan:** I was going to move adjournment of the House.

**The Acting Speaker:** There's a motion to move adjournment of the House until 6:45 tonight. Is it the pleasure of the House that the motion carry? So carried.

The House stands adjourned until 6:45 p.m.

*The House adjourned at 1750.*

*Evening meeting reported in volume B.*

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# Legislative Assembly of Ontario

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# Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

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Thursday 2 June 2005

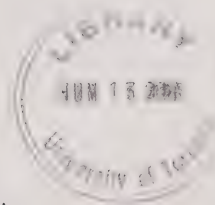
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 2 June 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 2 juin 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### INTERIM SUPPLY

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I move that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing July 1, 2005, and ending December 31, 2005, such payments to be charged to the proper appropriation of the 2005-06 fiscal year following the voting of supply.

**The Acting Speaker (Mr. Joseph N. Tascona):** Mr. Caplan has moved government notice of motion 406.

The Chair recognizes the member from Eglinton-Lawrence.

**Mr. Mike Colle (Eglinton-Lawrence):** I'm glad to be here tonight with you, Mr. Speaker, and colleagues from all across Ontario. As you know, we represent a diversity of ridings, over 12.5 million people. In the US Congress or the House of Representatives they call this "appropriations," but we call it "interim supply." In essence, we are making a decision of whether or not, and if, we're going to pay for all of our public servants and all the institutions that come under the auspices of the province of Ontario.

It's something that may seem bureaucratic to people watching out there, but it's a good time for us to perhaps remind the Ontario public and ourselves of all the incredibly good work that is done in the province of Ontario. It's not just about the good work government does, but it's about the excellent work that is done by Ontarians working for the government in all its agencies, boards and commissions for the people of Ontario.

There was a reporter whom I once asked, "Wouldn't you like to go to Ottawa and maybe cover the federal House?" He said, "Why would I go there? They don't really deal with people on an everyday basis." The reporter said to me—in fact, it was John McGrath, who's been here for quite a long time—he likes being here because we in the province deal with people in a very tangible, direct way, and the decisions we make and the expenditures we make affect people's day-to-day lives.

So today, in the interim supply motion, what we're doing is ensuring there is a flow of tax dollars that we collect that goes to all of these various ministries of

government, all the boards and all the different partners we have in government.

As you know, the biggest expenditure in the provincial budget, over 40%, is in providing health care. When we look at that health care budget, it seems like an easy word to say, but there's a lot of traction when you say that word. The traction is there because when we talk about allocating money for health care, front and centre we're talking about our health care providers. They are our doctors, our nurses, our hospital custodians, our cleaning staff and our lab technicians. All those front-line people have to be paid, and they're essentially paid by the province of Ontario. They're indirectly on our payroll. So those front-line health care providers are, you might say, an extension of our government. They're partners in delivering a provincial service, so it's a very significant part of our budget.

### 1850

We can go even further afield. It's not only the doctors and doctors' visits; we pay for the province of Ontario's drug plan. It's a drug plan that's certainly envied by the Americans. As you know, the Americans have these bus tours that come up here. They have trainloads of seniors trying to get our affordable drugs. You can find the same medication at 1/20 the price here in Ontario, compared to the same product manufactured by the same company south of the border. The province of Ontario, through the taxes it collects, provides for the availability of drugs for the general population.

You also get your hospital stay covered. I was just talking to someone who said they had a relative who was unfortunate enough to have a hospital stay in the United States. The bill came back—it was a premature baby, and the mother and baby had to stay for a month—and it was a bill for \$37,000, which that family couldn't afford to pay. As you know, in Ontario, that is covered by the tax revenues that we collect and that we allocate to the hospitals, so you don't get a bill if you've had a heart bypass. You don't get that charge.

I am always reminded of this story from, I think it was, my colleague from Chatham-Kent. A lady came into his office and said that she was golfing in the States and had a situation where she was taken to hospital. They found out she had cancer—operation, intensive care. She came back to Mr. Pat Hoy's office in Chatham-Kent and said that the bill was \$210,000. She said, "I couldn't pay the bill for \$210,000." She had had an emergency cancer operation. She had to stay in that Florida hospital, I think it was: a \$210,000 bill. I think the husband and wife were

both in there, and they said, "We don't know what to do."

That is why I think that at this time it's good for us to remind ourselves and remind the people of Ontario: This is what we are doing by passing interim supply. We're making sure that there is enough money to pay for the hospitals, the doctors, the nurses, and also pay for the staff and the health care providers in our nursing homes. In all of our communities and ridings, we have, I think, some of the best nursing homes in Canada. I look across at the member from Markham, Mr. Tony Wong, who knows about the Yee Hong Centre. In my own riding, I've got Villa Colombo. They're all over this province. We do hear about some of those shortcomings once in a while, but I have what I call the Mayo Clinic of geriatric care in Canada, the Baycrest. My friend from York Centre, Monte Kwinter, will tell you.

These are places that we should celebrate. But we not only celebrate them, we also have to fund them, and that is done through our provincial tax dollars. Remember, this is not just funding that occurs for six months or for a year. This is day after day, 24/7. St. Michael's Hospital, Mount Sinai Hospital and all of our hospitals have to work around the clock, day in and day out, pay for the staffing, pay for the mechanicals and pay for heat and lights. All of those costs have to be borne by the taxpayer. That's done through the taxes that we collect, and we pay for that.

That's something that we sometimes fail to reflect upon enough. People always ask us, "Where does this money go?" When you look at our nursing homes and our home care—we've extended another \$280 million for home care this year so that people don't have to always be in the hospital; they can get that care at home. Those are dollars that come through the CCACs, from provincial tax dollars that have to be collected through the Ministry of Finance.

If we look at our whole health care budget and health care expenditures, we are no different than any other jurisdiction in North America or in Europe. Everybody is facing the challenge of rising costs for health care, more expensive technology and the demographic bubble as the baby boomers get older. Whether you're in France, New Jersey or Alberta, every jurisdiction is facing that pressure from the mounting cost of health care.

What we've tried to do as a government, and I think other governments have tried this to a certain extent, is to find ways of getting a better bang for our buck. I think what Minister Smitherman has tried to do is, he talks about the emphasis on transforming health care; in other words, taking the pressure away from hospitals. This is why in interim supply here we're talking about putting money into family health teams. The member from Chatham-Kent got a family health team that they were very happy to get. I think there are 52 new family health teams—one in the riding of my good friend from Northumberland. Quite, right? You've got Quite West. There's going to be the Ride for Sight there, motorcyclists from all across Canada coming to Northumber-

land on June 24, I think it is. They're going to ride the beautiful Northumberland hills in a very attractive part of this province.

So in every community there are investments, whether it be for family health teams or whether it be for immunization for children so that children won't end up with those life-threatening illnesses that will force them into hospital. That's why the Minister of Health is putting money into prevention, immunizing children. We have probably one of the widest and most comprehensive immunization programs in North America now in Ontario. So that's where health dollars go through interim supply.

We should mention that the spending of money sometimes also has to be a long-term investment. If you look at the approach that our government has taken, we've said we not only have to take care of today's bills, but we've got to invest in our economy and in our intellectual power so that we can continue to have a competitive economy. We've got to continue to grow the economy—because I'm sure all of us have all kinds of things that we would like to have money spent on in our ridings, but ultimately, unless people are working and small and big business is attracted to Ontario, we won't have the money for nursing homes, we won't have money for the nurses, to pay the doctors, to pay the bills in our hospitals.

Part of these expenditures, especially with this year's budget, will go toward an unprecedented, historical investment in post-secondary education: our universities, colleges and skills training. It's self-evident that if you look at the world's economies, they're no longer just your factory-type economies. They are not just on an agricultural base. They're much more sophisticated.

If you look at the economies that are thriving—look at Ireland. Ireland is now one of the most competitive economies in the whole world. They've turned that country around from an unemployment rate of about 29% to an unemployment rate of about 4% now. Ireland invested in their universities and the skills of all of their workforce. So Ireland, which was considered almost an economic basket case, is now the envy of the world for its success because they invested in intellectual power; they invested in people's ability to be competitive through education.

If you look at the various states in the United States, our neighbours to the south—as you know, we are fortunate in Ontario because we've surpassed Michigan now in automobile production. Most Ontarians probably don't even realize that. We've surpassed Michigan. What we're seeing through our expenditures is that we want to be perhaps less like Michigan—not to put Michigan down; it's a very good neighbour—and more like Massachusetts perhaps. If you look at the GDP per capita in terms of wealth produced, of all the US states the one with the highest GDP per capita is Massachusetts. And you say, "What does Massachusetts export? What are the big factories in Massachusetts?" Basically, in Massachusetts, whether it's MIT, Boston College, Boston University, Harvard, it's an investment in intelligence, an investment in young people—people of all ages—who



want to learn. Therefore, Massachusetts has surpassed states like Texas, the states in the rust belt, because they see the competitive advantage of tax dollars being invested in education.

**1900**

That's why this government is not afraid, and has shown in its budget—and we'll see in the supply measures—that we are going to invest \$6.2 billion over the next five years in education past high school. That is not only an investment in universities per se—and we all have universities and colleges in our constituencies. We've got Georgian College in your constituency, Mr. Speaker, where they do great work in hospitality, tourism, marketing, business and computer literacy. If you look all across Ontario, these are not only places where students go but they're great centres that employ people.

People say, "Look at Hamilton. Hamilton is an old economy." That's not true. Hamilton is part of the new economy. The number one employer in Hamilton is now McMaster Health Sciences Centre. That's the new economy. I think there's a bright future for a place like Hamilton, but you have to invest in the intelligence that exists in Hamilton, give people in Hamilton an opportunity, because that's the value-added jobs, the jobs of the future.

Look at London, Ontario—another great middle Ontario city. For years it was the insurance industry that carried the London economy. Now it is not. The University of Western Ontario Health Sciences Centre is the number one employer and revenue generator for the economy in London.

If you look at Toronto, they say, "In this budget you're investing in universities and colleges. Great. It's great for students." We're doing a heck of a lot for students. Some 135,000 middle-income students will get increased assistance through their student assistance loans, and 16,000 of the poorest will get a direct grant of \$6,000. It's not investing only in those students; we're investing in significant employment centres.

I would just mention, by the way, that a student from Ryerson—I know the Minister of Tourism from St. Catharines is very interested in this—was named Miss Universe. The most beautiful woman in the whole world came from Ryerson University. I think we should hear a clap for her. I can't remember her name now. I think the Speaker remembers her name. But the most beautiful person in the universe came from Ryerson University. It's a great tourism boost for Canada.

**Mr. Mario Sergio (York West):** Michael, make it the universe, not the world.

**Mr. Colle:** OK, the universe. Sorry. I have to correct myself. The member from York West corrects me. She was named Miss Universe, not Miss World. Sorry. I stand corrected.

That's a different part of the return we get from investing. But if you put together Ryerson, U of T and York University, and Seneca, Centennial and wonderful Sheridan—Sheridan is a cutting-edge world institution that—

*Interjection.*

**Mr. Sergio:** Seneca College.

**Mr. Colle:** Seneca.

**Interjection:** George Brown.

**Mr. Colle:** George Brown—culinary arts. No one can match George Brown's culinary arts school. People say, "Culinary arts? What's the government doing investing in culinary arts?" One of our biggest industries in Toronto and Ontario—it's number three, if I'm correct—is tourism. That's what brings money in.

*Applause.*

**Mr. Colle:** The Minister of Tourism is clapping because many thousands of Ontarians work in tourism, so whatever money we invest in tourism in increasing the hospitality and training skills of young Ontarians, we're going to get back tenfold with those jobs in tourism.

By the way, the name of the Ryerson student who won, Miss Universe, is Natalie Glebova, so we should remember that name.

Just to let you know, in this interim supply we look at where the money is going. We see Algonquin College, \$2.6 million; Cambrian—Mr. Speaker, for you—\$1.2 million; we look at all these great colleges: Conestoga, Confederation, Durham, Fanshawe, George Brown, Lambton, Loyalist College, Mohawk, Niagara.

The money we are allocating for interim supply is not just an expenditure; in other words, it doesn't just go out the door. I think we've got to look upon it as an investment in Ontario's people, an expenditure that will bring us back more economic activity so we can help our farmers, help our elderly, help our struggling small rural areas, invest in our hospitals, in training for nurses and help the unfortunate who are in difficult times. Hopefully, by investing these dollars we collect through tax allocations we can make this province prosper and grow. Let's hear it for Ontario.

**The Acting Speaker:** The Chair recognizes the member for Haliburton—Victoria—Brock.

*Applause.*

**Ms. Laurie Scott (Haliburton—Victoria—Brock):** Such a round of applause. Yay. A little bored in the Legislature tonight, everybody? Is the applause because women like to spend money?

**Hon. Mr. Caplan:** Can't we all get along?

**Ms. Scott:** We can all get along.

I'm pleased to rise today to speak to how the government does spend its money and the interim supply bill that we're discussing tonight. I'm so happy to see that the government side is anxious to hear our comments. Hopefully, they will have some peace on the labour front over there with the impending OPSEU strike. It certainly affects our jail in Lindsay, in the city of Kawartha Lakes, correctional east.

There are certainly some concerns on the issuing of birth certificates. That will be affected, and that's been enough of a backlog from this government that we've had to deal with, a big backlog causing people a lot of anxiety and frustration.

Abattoirs: Maybe the government should have reconsidered their meat inspection plans, because the abattoirs are going to be affected adversely with this OPSEU strike that is coming.

**Mr. Colle:** Don't be so negative.

**Ms. Scott:** I hope it doesn't come; we hope that it doesn't come.

I was very encouraged to hear about our health sector from the member opposite, and certainly we have a health care system that is a great system; it needs some improvement. I was anxious to hear what he'd say about nurses, so we can hire more nurses, when they have just given the hospitals money to sever nurses, losing close to 1,000 jobs in nursing when this government is supposed to be improving our health care system. My co-workers could be in jeopardy, close to 1,000. Many hospitals across Ontario are already warning that there will be staff shortages. The fact that they say they're improving health care and hiring more nurses, yet they're laying off almost 1,000 nurses, is very concerning. Maybe we should look at that.

Doctor shortages: In the city of Kawartha Lakes alone we are short 15 family doctors. I don't think the shortages that are faced are unusual for all of rural Ontario. I'm happy to see the investment in post-secondary education and the expansion of some spaces in medical school, and to mention that we had initiated the northern medical school and are happy to see that it is going to be in operation. Hopefully, with these investments we can attract more doctors to our rural areas.

I would like to see more nurse practitioners, especially in rural Ontario, where I think that the need for primary access to health care could be met. Maybe the government and the Minister of Health can re-look at how we get more nurse practitioners into the field, and maybe change some formulas so there is more encouragement for that scope of practice to expand, especially in rural Ontario.

1910

Speaking of rural Ontario, we did not see an improvement in investment in agriculture for rural Ontario: \$169 million less is what's going to be seen for our agriculture sector. We had the Ontario Cattlemen's Association here today, and they're in crisis. BSE has gone on for over two years now. They need the governments, federal and provincial, both to listen to the concerns they have and to invest. We have to decide, do we want farmers or do we not? Because we're starving them right now. They brought those concerns. Farmers are very proud people and they often don't want to cite their problems, but it is a huge issue in rural Ontario. Agriculture is the backbone of many of our ridings here in the Legislature, more so in the Conservative ridings, I think, than the Liberal ridings, because they don't seem to be addressing the situation in rural Ontario.

When I go to the stores in rural Ontario, they're losing jobs one by one. Not as many people are coming in to buy clothes, to buy farm implements. Dairy farmers are selling off chunks of their quota. So, one by one, our jobs

are being lost in rural Ontario, there are less monies being spent, and it's impacting all of us. Things have not been so bad for rural Ontario in decades. So we want the government to listen to that and change their spending priorities. Things are bad in rural Ontario.

In the city of Kawartha Lakes alone, there are 1,300 registered farms; in Peterborough county, 1,200. I share some of Peterborough county with member Jeff Leal from Peterborough. This is a large impact of your spending priorities over there. Are you spending the monies in the right places? Certainly with your budget that came in—is it the fourth time now that we've had to try to balance the budget? Are you going to balance it or are you not going to balance it? How are we going to know?

The people of Ontario earned a \$2.6-billion increase in revenues for this government. Is it being spent properly? It's hard to know. Should they have got a tax credit? I think they should have, because what happens when you give people more money? They generate more economic activity. They spend the money, especially farmers. You put money in farmers' pockets, and they spend it all locally.

Are we using enough incentives? We talk about bringing more jobs to Ontario. Are we being competitive now? Are we doing the right things to increase jobs in Ontario, to increase the state of our economic situation, which means a lot to the whole of Canada? We are the economic engine, and may I say that agriculture is the second-largest economic driver in Ontario. I want to continue to bring this up because it is a theme that I think is not addressed sufficiently by the Liberal government—rural Ontario and the agriculture needs.

When you're mentioning education, I want to mention that one of my school boards, Kawartha Pine Ridge, didn't settle. They're not happy. Do we have a rural school plan yet? We need a plan for the rural schools. Will they be closing rural schools? We don't know yet. It's all a mystery to us, what's going to happen.

Look at what happened with the Frost Centre. The Liberal government closed the Frost Centre down. It was shut down in one week. Is that what this Liberal government is about? They wanted better education, better environmental laws, better stewardship. Closing the Frost Centre did nothing about that. They closed it down cruelly. I'm hoping, thanks to a committee that's been working hard over the last year on what to do with the Frost Centre, that the government will see the light, that that needs to be reopened and a partnership at least needs to be formed, because that exists in Haliburton county. The second-lowest household income in the province of Ontario is in Haliburton county. This was like closing down a car manufacturing plant to them. You have to think of these things, and I don't think you're thinking enough about rural Ontario.

The investments made in post-secondary education are very welcome. I know that will improve, in the long run certainly, our economic outlook for the future. I've been working with the Liberal government, and Minister Chambers has been very positive in light of a possible



new apprenticeship program that I have introduced in a private member's bill. The apprenticeship would be in the fuel industry. It was brought to my attention by a small business owner in the riding and it was an excellent idea, a good incentive to create an apprenticeship in a much-needed industry. It would be increasing the safety standards for all of us if that goes through: getting businesses to have more qualified staff, an incentive for people to go back and get the proper accreditation at school.

There's much to be said about how the government spends its money on the interim supply bill, and I was happy to have the opportunity for this short period of time to speak to the interim supply bill today.

I will be sharing my time with the member from Waterloo—Wellington.

**The Acting Speaker:** Further debate?

*Applause.*

**Mr. Michael Prue (Beaches—East York):** Hold your applause. You might not like what I say. I thank you for the applause. I hope I get as much applause when I finish. I'll be tough.

First of all, this is an interim supply motion and I hope everybody in this room will understand what that is, but for the benefit of the two or three who may be watching us out there on the television, this is a bill that allows us to pay our civil servants, to pay the monies that the institutions and boards need while we are still struggling with the budget, because it is the budget itself that determines the amounts and who gets what and, in fact, who doesn't get what.

So I'm going to talk in terms of what the budget is doing. Although we need to get some money for interim supply, because of course our hard-working civil servants need the money, of course the schools and institutes of higher learning need the money, of course the boards and commissions across this province need the money to function, the real question comes down to who gets what and why have certain groups been left out.

In this House a few weeks ago there was a vote on the budget. I think every single Conservative member stood up to vote against it and every single New Democrat stood up to vote against it. But I have to tell you, I think the reasons why we voted against it are very much different from why the members of the Conservative Party voted against it.

When I heard some of the statements made by the honourable members on the government side, that we were not voting for it because we didn't want to help students and we didn't want to help institutes of higher learning and we didn't want to help hospitals, I think nothing could be further from the truth. In fact, the reason why New Democrats don't support this budget is really one of poverty, because we do not believe that this government has adequately addressed the poor, the needy, the destitute and those who most need help in Ontario. That's why I voted no to the budget, that's why I continue not to support what is in that budget, in spite of the fact that this government has gone at least part way, and probably as far as you could or would be able to go

in the short term, in order to help our institutes of higher education. I think what's happening there, in line with the Rae report, is the right way to go. In spite of the fact that hospitals have got an increase, although not enough of an increase, that is simply one of the places that the money needs to be spent, and it needs to be spent in our schools, and you're increasing some of the funding for schools and reducing class sizes. I read the paper too. You're doing those things, but what you don't do and what causes me grief on this side of the House is that there are all these groups that you've left out and you should not have left out and that you're leaving out through this interim supply motion. When we give the money through the supply motion, it's going—or more correctly, it's not going to go to some people in our society who, in my view, need it the most, and that is the poor, the destitute and the children.

**1920**

I'd just like to deal with some of those groups: first of all, the autistic children. I think there is probably no greater champion of autistic children in this entire House than the member from Nickel Belt. She stands at least once a week or twice a week and asks questions of the government on how the government is going to help children who are autistic, children who have been dealt a very cruel blow early in their life through no fault of their own, who require specialized treatment, who are on waiting lists and find that those waiting lists are never-ending. The children turn six years old without ever having had the opportunity to get IBI treatment.

We've been in this House and we've talked about these situations. We've talked about the families that are forced to go to court and have so far been successful in getting treatment for their autistic children once they have turned six years of age, only to find that this very government that pretends they want to help the poor and to help autistic children takes those same families to court, only to find that you are doing everything in your power to impede them from getting the services they desperately need, only to find that those children who are less than six years of age and who are on waiting lists have now been told that because you are struggling with your court proceedings with the families of the children who are over six, their waiting list is going to continue to grow.

You know, there was a wonderful child sitting in the members' gallery with her mother. Her name is Tennyson Quance. Tennyson Quance lives in Beaches—East York. Tennyson Quance is closing in on five years of age and is one of the most charming children I think I have ever met. She is absolutely beautiful. But she has autism. Her family is doing everything in their power to try to help their daughter, in a way that I only wish this government would do. They are doing things that I only wish the members on the government side would find in their hearts to include in a budget.

I went to a fundraiser for Tennyson Quance the other night, because, you see, the family can no longer afford the \$6,000 a month it costs for autistic services, IBI

treatment. The family is a very good family. Both the father of this child and the mother work full-time. Sometimes they work extra hours; sometimes they take on extra jobs. The mother is an accomplished photographer, owns a studio and takes literally every job she can find in order to find the money for her daughter. But at \$6,000 a month, you have to understand that this is beyond the realm of possibility even for this very good and strong middle-class family in Ontario. Six thousand dollars a month has eaten into all of their life savings. Six thousand dollars a month has eaten into their mortgage, and they've had to remortgage their house. Six thousand dollars a month is beyond their ability to pay for their own lifestyle for their other two children and all the necessities of their life, the food and shelter that they also have to provide for themselves and their other two children. And so the community has been forced to come together on numerous occasions. This past week, I went to a fundraiser at \$40 a ticket. They sold out 500 seats—\$20,000—and people had to come forward. Two brilliant comics came forward for a night of entertainment, and they did that to raise the funds.

But I have to tell you that what was most poignant to the night for me wasn't the comics, although they were extremely funny; it was Mr. Brett Quance, who stood up to talk about why we were all in that room, why the people of Beaches—East York and the broader community were all in that room. We were all in that room, as he put it so carefully and so clearly, because the government of Ontario had failed him and failed his family, and especially had failed his daughter, Tennyson Quance. They had been promised and they were led to believe that Tennyson Quance would have an opportunity, that this government would see to it. In fact, the Premier had promised to do exactly that prior to the election.

Mr. Brett Quance told me on that occasion and on others that he had believed the Premier, and in fact he had voted for the Liberal Party for precisely that reason in the last election. He is devastated by what you have done, or more correctly by what you have not done, in your budget, and by what you have done, or more correctly have not done, in this interim supply bill. You see, there is not one penny coming to him. We raised \$20,000. That's enough for another three months of IBI treatment. Tennyson is going to be five years old before that three months is up, and she is still waiting for the IBI treatment that she needs in order that she can do the little things that you would ordinarily expect from a five-year-old. She's getting the best help the family can do by fundraisers. She's getting the best help the family can do through their friends and neighbours and the people who are trying to raise the money. But they are exasperated with this government, and they are not alone. There are hundreds of such children and hundreds of such families in Ontario, and this government has an obligation to look after them. If you want to know why I do not support your budget, it's because of that. It's not because of education; it's not because of health. It's because you have failed this family and families like them.

I want to talk a bit about other families, families whose children are not autistic, families whose children are just poor. This government, prior to the election, said you were going to end the clawback of the monies that you claw back from the families of poor children. For those watching who may not know what this is—I'm sure that all of the government members know what it is—the federal government decided years ago that they were going to end poverty in Canada. Part of the way they were going to end poverty was to give a supplement for all of the children of poor families. When I was a boy, we called it the "baby bonus." I'm sure that when many of you were young, you and your families called it the baby bonus too. I remember growing up in Regent Park when that cheque came every month. My mother took that cheque, which was \$8 for myself and \$8 for each of my two brothers, and she spent that money absolutely and totally wisely on things that we needed in our family. Whether it was a new pair of shoes, whether it was food, whether it was something that we needed to go to school—pencils or books or crayons or whatever we needed to go to school—the money was spent wisely. Because, you know, parents know how to do that. Parents know how to do it when they're poor and when they have children who need the money.

The federal government gives that money today for poor families. If you're a poor person who makes minimum wage and you get this money, you get to keep it. But if you are unfortunate, if you are on Ontario disability or on Ontario Works or if you are a single parent with one or two children and you get this money, what this government has chosen to do, to my mind, is disgraceful. The money is clawed back. It is taken away from children who cannot afford to have the money taken away from them. The Daily Bread Food Bank in Toronto said that if this government were to do one thing to alleviate child poverty in Ontario, the single best thing that you could do in one fell swoop was to end the clawback. If you ended the clawback, just that one action, you would do more to alleviate child poverty than any other single action that you could possibly take.

Did this government do this in this budget or in the last budget? I'm afraid you didn't, and this is extremely disappointing to me. They were going to get a 3% increase, so you'll let them keep the 3% increase that they were going to get last year and the 3% increase that they're going to get this year. But in reality, what that means is that 100% of the money that you promised to give back to them two years ago is still in your hands. All you have allowed them to keep is the 3% increase that the federal government has granted to children across this entire land.

I have to tell you that as a New Democrat I find this appalling, because the poorest of the poor children, those whose families are forced to live on incomes of \$1,000 or less a month—in cities like Toronto or Hamilton or Ottawa, that doesn't even pay the rent. Those children are forced into food banks. Those children are forced into poverty. They're forced to go to school, as some of the



speeches have said, and not to enjoy even the little things like milk or a pizza lunch or a trip to the museum if in fact they have to pay for it. I have to tell you that I find this quite appalling, and I find it appalling that we force children and their families to go to food banks when this government could do something about it.

1930

The amount of money that you claw back from the poorest of the poor is, I've heard, about \$250 million. I put this all into perspective: If there's \$400 million for a casino, if there's half a billion dollars for Ford, then there should be something for poor children. I can't support the budget and I can't support an interim supply motion that leaves these poor children out of the picture.

I also look at what's happening to people on ODSP and OW. This government promised that it would keep up their payments in line with inflation. That was one of the election promises. In the first budget, you did that. Even though they were so reduced from the Mike Harris years—had 21% chopped right off the top, and not an increase for nine years—I have to commend you because, in your first budget, you gave them a 3% increase. It wasn't much—

**Hon. Mr. Caplan:** How did you vote on that budget?

**Mr. Prue:** The right way.

It wasn't much but it was something. This budget is an abomination because you have said, "No more increase for them." So the reality is, with inflation over the two years, they are now worse off under your Liberal government than they were under Mike Harris. Can you imagine, to be on ODSP and come to the realization that today, under Dalton McGuinty and his government, you are worse off than you were under Mike Harris and his government, in the worst of worst times for poor people? That causes me a great deal of grief too. If you want to know why I can't support your budget, it's because I can't support what you're doing to people who, through no fault of their own, are forced on to ODSP. I can't fathom why you would say to people who are in wheelchairs, people who are blind and people who have medical problems that they can't have an increase. We gave ourselves an increase, as parliamentarians—we all took it—but they can't have an increase. They get \$900 a month if they're single, if they're lucky. They get \$1,200 if they have a child. That's what they get. This budget gave them no increase. If you want to know why I can't support the budget, look there.

I'm glad that the minister responsible for all these new housing initiatives is here today. I was there in Beaches-East York with him and all the counterparts from Ottawa and the mayor for the great big announcement of all the housing that's going to be built in Ontario: \$300 million from the federal government, \$300 million from the province and \$300 million from the cities. It was a pretty good day. I felt kind of good when I was there that day, and then I saw this budget. I opened up to the page on housing in eager anticipation to see the \$300 million that was going to be spent, and what did I see? It was \$31 million. When questions were asked, "Where's the \$300

million? This is only 10% or maybe 10.5%. Where's the money?", the answer came back, "Oh, this is over 10 or 20 years that we're going to give this money." So it wasn't that the government was committing itself to the \$300 million; the government is committing future governments of this province, and they only commit themselves, in this year, to \$31 million of it.

I don't know where that great announcement's going because in the next two years that follow, if they carry through with that, they'll have made about one third of their pledge. I guess they're going to try to stick any new government that is elected after that with the balance. I really don't know.

I wonder, with all the great announcements that were made about the really poor people who need housing, the 150,000 families in Ontario who are on waiting lists, if they're going to be satisfied that only 10% of what you promised that day came forward in this budget. I wonder about all of those people who need supportive housing, all of those people who have psychiatric problems or emotional problems or need special services with supportive housing. I wonder if they're going to be satisfied knowing that the housing they need is probably not going to be available with the paltry sum of \$31 million that has been put forward. I wonder if all of those people who desperately are hoping for a place to live are going to be happy knowing that the money simply is not there.

I looked in the budget to see—and I couldn't find it but maybe it was there, hidden, because it's a big document—whether or not the 5,000 supplements are going to be given, but I couldn't find anything in the budget that says that money's going to be spent either.

The last thing is the civil service, because I guess this whole supply bill is to make sure that they get paid. This past week, the largest union within the civil service of Ontario, OPSEU, voted 65% in favour of strike action. Two out of every three civil servants in Ontario want to go on strike. They're not very happy with Dalton McGuinty. I think they're not very happy with the way they are being treated. This is a union, you have to remember, that went through two very long, bitter, bitter strikes under the previous government, and here they are voting 2 to 1 to go out again.

I had a couple of union people in my office last week on a completely different issue, and I asked them what the issues were and whether it had anything to do with wages. These are union people and they told me no. They told me that it wasn't so much a question of how much you were offering; it was in fact because they were very, very worried about their jobs, they were very worried about the closure of jobs in places like the regional centres, they were very worried about how cavalierly you closed down the Frost Centre, and they were very worried about how, when he stands up to speak, the finance minister talks about restructuring the civil service in ways that are going to reduce their input or their jobs or everything altogether. They're very, very worried and nervous about what's going to happen to the provincial people who work in the audit department, who actually

find us tax money that the federal government doesn't, if that whole thing is turned over. No one has discussed it at all with them.

I think my 20 minutes are about up, and that's what I've agreed to.

I want to tell you that this is an interim supply bill. Everybody is going to have to be paid. I have no doubt whatsoever that the bill is going to pass. But I ask the government members, when you ask for the money, please do something in advance to spend it wisely, because it needs to be spent more wisely than it is.

**Mr. Ted Arnott (Waterloo-Wellington):** Speaker, I'd like to ask your advice. While the House is in such a good mood, I was going to seek unanimous consent to have second and third reading of my Bill 52, the Volunteer Firefighters Employment Protection Act.

*Interjection.*

**Mr. Arnott:** The minister is in the House, but he appears not to agree at this time. I'd better not push it; I might lose the support of some of our colleagues. He may once again express his view; I don't know.

This is the debate on interim supply, as you well know. This motion, if passed, will authorize the government to spend money on the civil service: pay, as was said by the member for Beaches-East York, as well as the other expenditures that the government must undertake.

I want to talk a little bit about the budget, because there was a constrained debate on the provincial budget motion, and I didn't get an opportunity to speak to it.

I want to start on a positive note. I was quite interested to be here in the Legislature for the budget speech. Of course, we received the budget speech document and also the budget papers document. I was flipping through it the day the budget was read into the House, and an item that was in the budget papers but did not make it into the speech caught my attention. It's on page 157, in "Details of Revenue Measures," and talks about a retail sales tax exemption for booster seats. It says here, "The Ontario government's Bill 73, An Act to enhance the safety of children and youth on Ontario's roads, was passed into law in December 2004."

I'm pleased to see the Minister of Transportation here in this House and to acknowledge his role in that particular bill.

The paper goes on to say:

"Regulations under the new law would make booster seats mandatory for children who are too big for child car seats, yet too small to be properly protected by seat belts.

"An amendment to the Retail Sales Tax Act will be proposed to expand the current retail sales tax exemption for child car seats to include booster seats. This amendment would be effective upon proclamation, to coincide with the implementation of the booster seat requirement."

When I read that, I thought that somehow it sounded familiar. In fact, it did sound familiar, because I introduced a private member's bill to accomplish this very thing on May 6, 2004: Bill 77, An Act to amend the Retail Sales Tax Act. I was concerned about the fact that

there was a disparity in the Retail Sales Tax Act, whereby car seats for smaller children were exempt from retail sales tax but booster seats were not.

While I was pleased to know that the Minister of Transportation was expressing his concern about safety for children and he was expanding the coverage to ensure that older children were safe in these booster seats, they neglected to think about the fact that those seats were very expensive and subject to tax. So I'm still looking forward to hearing the acknowledgement from the Minister of Finance for my role in this particular initiative, and I'm sure when he comes to Kitchener-Waterloo tomorrow at the Communtech breakfast, he'll likely acknowledge the fact that I gave him an idea that he put into the budget.

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I'm also pleased to see that the Minister of Public Infrastructure Renewal is here. I recall a few months ago, he and I had an opportunity on a night just like tonight when the House was in a good, jovial mood, and I wandered over to talk to him about a few issues. He has been quite attentive to the concerns that I have in terms of infrastructure projects in Waterloo-Wellington. I have the Waterloo-Wellington transportation action plan, and he knows all about that because we've talked about it over the last little while. But we were talking about how we would fund the infrastructure needs of the province. Not that long ago, I think when David Lindsay was still involved in infrastructure issues, there was a study that indicated that we needed to spend about \$100 billion, if I'm not mistaken, on our infrastructure in the next few years. I forget; was it over the next 10 years? Maybe he could help me. But it was an extraordinary figure and we seemed to be behind the eight ball on how we finance this.

Of course, the Minister of Finance, in the budget speech, announced a plan to spend \$30 billion on infrastructure over five years. There weren't a lot of details as to how we would come up with this \$30 billion, but over five years, of course, it's on average \$6 billion a year. Right now the provincial government spends just over \$2 billion, if I'm not mistaken—

**Hon. Mr. Caplan:** It was \$2.6 billion last year.

**Mr. Arnott:** OK, two and a half billion on infrastructure. Somehow we're going to have to come up with three and a half billion as well per year on average for the next five years, trying to involve the federal government, I suppose, maybe local governments, and the private sector. I'm pleased to see that the government has overcome its ideological misgivings that were misguided when they were in opposition and realized that if you can involve the private sector in terms of the financing and the developing of an infrastructure project, allowing you to expedite the construction of needed infrastructure, why wouldn't you? They have come to that conclusion, and there are still a few members over there who are reluctant to agree to that, apparently, but I think it is only common sense that they would undertake that.



**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: The member for Waterloo–Wellington convinced me.

**The Acting Speaker:** Point taken.

The Chair recognizes the member for Waterloo–Wellington.

**Mr. Arnott:** Thanks for the acknowledgement. But we talked about how we would finance these projects. I suggested to him that it would be a good idea to initiate infrastructure bonds that the average person, the average investor, might be able to purchase, not unlike a Canada savings bond, not unlike the war bonds that we financed the war effort with. In those days, of course, it was a patriotic appeal that was extended to people. If you wanted to help your country, you would buy a war bond. We talked about how it might be possible to encourage people to invest in infrastructure bonds that would allow them to invest in their communities, and that if the sales pitch took that approach, there would be a good response.

I was very pleased to see that the minister obviously did his homework with the Minister of Finance and followed through on this. We see in the budget infrastructure renewal bonds: “These bonds will go on sale later this year and will provide a solid investment for Ontarians....” I would like to go on the record tonight and say to the Minister of Public Infrastructure Renewal that I would like to buy the first bond. So if we could make arrangements, I would be prepared to do that.

**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: The member for St. Catharines is buying the first bond, but you can buy the second, I say to the member for Waterloo–Wellington.

**The Acting Speaker:** The Chair recognizes the member for Waterloo–Wellington.

**Mr. Arnott:** I want to express my appreciation to the minister for following through on that conversation. I think it will be a positive development for the people of the province.

Now I have to get into the negative aspects of the budget. We all recall the election campaign in 2003, and we recall the ad that the Liberals used repeatedly on television. I didn’t get to see it as often as perhaps some, but I remember it vividly. The then Leader of the Opposition, the member for Ottawa South, now the Premier of Ontario, went on TV, and the ad was run hundreds of times, so in effect he made the commitment hundreds of times. He said, “I won’t raise your taxes, but I won’t cut them either.” I remember that, and I think the people of Ontario remember that.

That’s why last year in the provincial budget, when the new health tax—or, as I call it, the brand new provincial income tax—that the government claims is going to be put toward health care, which they called, of course, the health premium and is now commonly called the health tax, was introduced in the Legislature, there was a great deal of outrage across the province.

It coincided as well with the federal election, as we all recall. I remember knocking on doors with my now federal counterpart; at that time, he was a candidate for a seat in the House of Commons in the riding of

Wellington–Halton Hills, Mike Chong. We were knocking on doors a couple of days after the provincial budget, and the anger of the people at the door was unbelievable. I wouldn’t want to repeat in here what people were telling us about this particular bunch of Liberals at the door in those communities because it wasn’t parliamentary; let’s put it that way.

I think, to some degree, that that provincial budget, arguably, was responsible for the fact that 24 Conservatives were elected to sit in the House of Commons in the election last year. Again, you could say that perhaps to some degree, that was what was responsible for the fact that the Liberals were returned to Ottawa with a minority government, not a majority. It’s quite a legacy for the first budget of the provincial Liberal government in this place, and their federal counterparts have not forgotten. It appeared that, with this particular budget, knowing that a federal government might very well be in the offing, this particular provincial government wanted to make sure that it didn’t have the same impact the second time, if there was a second federal election this year.

So there weren’t any new increases in income tax announced in this budget. However, what most people apparently don’t realize is that the health tax—or the new income tax, as I call it—that the government claims to be putting toward health care doubles this year, in effect because it only took effect on July 1, 2004. So if you paid \$300 in health tax last year, this year you’ll pay \$600. I think people are going to be quite angry when they realize that at the end of the year. I think it’s quite unlikely that the Liberal government here at Queen’s Park will be particularly well-received when that realization sinks in.

The other thing I’m very concerned about with respect to this budget is the fact that the government appears to be completely backing away from its commitment to balance the provincial budget—again, an election promise. In the election in 2003, my Liberal opponent in Waterloo–Wellington repeatedly stated that the Liberals were promising to balance the budget. I don’t think she meant that they would balance it in their second term, if they got a second term, in 2008. Certainly, in the first budget of this particular government, there was a commitment to balance the budget at the end of its term, and now it appears the government is not even committed to doing that.

My concern is this: If we’re not thinking in terms of the next generation and the generations that follow in this place, I don’t know why we’re here. If we continue to run deficits in good years, if we continue to add to the debt—and the total provincial debt, which is again in the budget papers as well—of course, the government puts that section at the very back of the budget papers. When I first arrived here in 1990, the total provincial debt was about \$42 billion. Now it’s \$157 billion. It has tripled in 15 years. For five years, the New Democrats were in power; for eight years, the Conservatives were in power; and now for two years, the Liberals have been in power since I’ve been here. It has tripled, and as I said, if we, as

members of the Legislative Assembly, don't concern ourselves with that issue, don't discipline ourselves to attempt to balance the budget in good years, then we're leaving a legacy of debt to our children and our grandchildren that I personally find unacceptable. I would suggest to the Minister of Finance that if he doesn't balance the budget by 2007 or sooner, he will sorely regret it over the long term.

I'm told that our time is up. Thank you very much.

**Mr. Bob Delaney (Mississauga West):** On a point of order, Mr. Speaker: The member for Waterloo-Wellington has spoken respectfully, addressed the topic of the bill, not violated any standing orders, nor maligned any members. Is that practice still in order?

**The Acting Speaker:** Is that your point of order? Thank you.

Any further debate?

The government has moved, through Mr. Sorbara, motion number 406, and it reads that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments, pending the voting of supply for the period commencing July 1, 2005, and ending December 31, 2005, such payments to be charged to the proper appropriation of the 2005-06 fiscal year, following the voting of supply. Is it the pleasure of the House that the motion carry? Carried.

Any further business?

**Hon. Mr. Caplan:** I move adjournment of the House.

**The Acting Speaker:** Adjournment of the House has been moved. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned till 1:30 p.m. on Monday.

*The House adjourned at 1950.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Constituency<br>Circonscription | Member/Party<br>Député(e) / Parti   | Constituency<br>Circonscription            | Member/Party<br>Député(e) / Parti   |
|---------------------------------|---|--|---|
| Algoma-Manitoulin               | Brown, Michael A. (L)   | Hamilton East /                            | Horwath, Andrea (ND)  |
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| Flamborough-Aldershot           |   | Hamilton Mountain                          | <b>Bountrogianni, Hon. / L'hon. Marie (L)</b><br>Minister of Children and Youth Services.   |
| Barrie-Simcoe-Bradford          | <b>Tascona, Joseph N. (PC)</b> First Deputy<br>Chair of the Committee of the Whole<br>House / Premier Vice-Président du Comité<br>plénier de l'Assemblée législative  |  | Minister of Citizenship and Immigration /<br>ministre des Services à l'enfance et à la<br>jeunesse, ministre des Affaires civiques et<br>de l'Immigration   |
|                                 | Prue, Michael (ND)  |  | Marsales, Judy (L)  |
| Beaches-East York /             |   | Hamilton West /                            |   |
| Beaches-York-Est                |   | Hamilton-Ouest                             |   |
| Bramalea-Gore-Malton-           | Kular, Kuldeep (L)  | Hastings-Frontenac-Lennox<br>and Addington | <b>Dombrowsky, Hon. / L'hon. Leona (L)</b><br>Minister of the Environment /<br>ministre de l'Environnement  |
| Springdale                      |   |  | Mitchell, Carol (L)   |
| Brampton Centre /               | Jeffrey, Linda (L)  | Huron-Bruce                                | Hampton, Howard (ND) Leader of<br>the New Democratic Party / chef du<br>Nouveau Parti démocratique  |
| Brampton-Centre                 |   | Kenora-Rainy River                         | <b>Gerretsen, Hon. / L'hon. John (L)</b><br>Minister of Municipal Affairs and<br>Housing, minister responsible for seniors /<br>ministre des Affaires municipales et du<br>Logement, ministre délégué aux Affaires<br>des personnes âgées |
| Brampton West-Mississauga /     | Dhillon, Vic (L)  |  | Milloy, John (L)  |
| Brampton-Ouest-Mississauga      |   |  |   |
| Brant                           | Levac, Dave (L)   |  |   |
| Bruce-Grey-Owen Sound           | Murdoch, Bill (PC)  |  |   |
| Burlington                      | Jackson, Cameron (PC)   | Kingston and the Islands /                 |   |
| Cambridge                       | Martiniuk, Gerry (PC)   | Kingston et les îles                       |   |
| Chatham-Kent Essex              | Hoy, Pat (L)  |  |   |
| Davenport                       | Ruprecht, Tony (L)  |  |   |
| Don Valley East /               | <b>Caplan, Hon. / L'hon. David (L)</b><br>Minister of Public Infrastructure Renewal.  |  |   |
| Don Valley-Est                  | Deputy House Leader / ministre du<br>Renouvellement de l'infrastructure<br>publique, leader parlementaire adjoint   | Kitchener Centre /                         |   |
|                                 | Wynne, Kathleen O. (L)  | Kitchener-Centre                           | Witmer, Elizabeth (PC)  |
|                                 |   | Kitchener-Waterloo                         | Van Bommel, Maria (L)   |
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| Don Valley-Ouest                |   | Lanark-Carleton                            | Runciman, Robert W. (PC)  |
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| Durham                          | O'Toole, John (PC)  | London-Centre-Nord                         |   |
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| Elgin-Middlesex-London          | <b>Peters, Hon. / L'hon. Steve (L)</b><br>Minister of Agriculture and Food /<br>ministre de l'Agriculture et de<br>l'Alimentation                                     | London-Ouest                               | Ramal, Khalil (L)   |
|                                 | Hudak, Tim (PC)   | London-Fanshawe                            | Wong, Tony C. (L)   |
|                                 | <b>Crozier, Bruce (L)</b> Deputy Speaker, Chair<br>of the Committee of the Whole House /<br>Vice-Président, Président du Comité<br>plénier de l'Assemblée législative | Markham                                    | <b>Takhar, Hon. / L'hon. Harinder S. (L)</b><br>Minister of Transportation /<br>ministre des Transports   |
| Erie-Lincoln                    |   | Mississauga Centre /                       | Fonseca, Peter (L)  |
| Essex                           |   | Mississauga-Centre                         |   |
|                                 |   |  |   |
|                                 |   | Mississauga East /                         |   |
|                                 |   | Mississauga-Est                            |   |
|                                 |   | Mississauga South /                        | Peterson, Tim (L)   |
|                                 |   | Mississauga-Sud                            |   |
|                                 |   | Mississauga West /                         | Delaney, Bob (L)  |
|                                 |   | Mississauga-Ouest                          |   |
|                                 |   | Nepean-Carleton                            | Baird, John R. (PC)   |
|                                 |   | Niagara Centre /                           | Kormos, Peter (ND)  |
|                                 |   | Niagara-Centre                             |   |
|                                 |   | Niagara Falls                              | Craiton, Kim (L)  |
|                                 |   | Nickel Belt                                | Martel, Shelley (ND)  |
|                                 |   | Nipissing                                  | Smith, Monique M. (L)   |
|                                 |   | Northumberland                             | Rinaldi, Lou (L)  |
|                                 |   | Oak Ridges                                 | Klees, Frank (PC)   |
| Etobicoke Centre /              |   |  |   |
| Etobicoke-Centre                |   |  |   |
| Etobicoke North /               |   |  |   |
| Etobicoke-Nord                  |   |  |   |
| Etobicoke-Lakeshore             | Broten, Laurel C. (L)   |  |   |
| Glengarry-Prescott-Russell      | Lalonde, Jean-Marc (L)  |  |   |
| Guelph-Wellington               | Sandals, Liz (L)  |  |   |
| Haldimand-Norfolk-Brant         | Barrett, Toby (PC)  |  |   |
| Haliburton-Victoria-Brock       | Scott, Laurie (PC)  |  |   |
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| Constituency<br>Circonscription                  | Member/Party<br>Député(e) / Parti  | Constituency<br>Circonscription                               | Member/Party<br>Député(e) / Parti   |
|--|--|---|---|
| Oakville   | Flynn, Kevin Daniel (L)  | Stormont–Dundas–<br>Charlottenburgh                           | Brownell, Jim (L)   |
| Oshawa   | Ouellette, Jerry J. (PC)   | Sudbury   | <b>Bartolucci, Hon. / L'hon. Rick</b> (L)<br>Minister of Northern Development and<br>Mines / ministre du Développement du<br>Nord et des Mines  |
| Ottawa Centre /<br>Ottawa-Centre                 | Patten, Richard (L)  | Thornhill   | Racco, Mario G. (L)   |
| Ottawa South /<br>Ottawa-Sud                     | <b>McGuinty, Hon. / L'hon. Dalton</b> (L)<br>Premier and President of the Executive<br>Council, Minister of Intergovernmental<br>Affairs / premier ministre et président du<br>Conseil exécutif, ministre des Affaires<br>intergouvernementales                                  | Thunder Bay–Atikokan  | Mauro, Bill (L)   |
| Ottawa West–Nepean /<br>Ottawa-Ouest–Nepean      | <b>Watson, Hon. / L'hon. Jim</b> (L)<br>Minister of Consumer and Business<br>Services / ministre des Services aux<br>consommateurs et aux entreprises  | Thunder Bay–Superior<br>North / Thunder Bay–Superior-<br>Nord | Gravelle, Michael (L)   |
| Ottawa–Orléans                                   | McNeely, Phil (L)  | Timiskaming–Cochrane  | <b>Ramsay, Hon. / L'hon. David</b> (L)<br>Minister of Natural Resources /<br>ministre des Richesses naturelles  |
| Ottawa–Vanier                                    | <b>Meilleur, Hon. / L'hon. Madeleine</b> (L)<br>Minister of Culture, minister responsible<br>for francophone affairs / ministre de la<br>Culture, ministre déléguée aux Affaires<br>francophones   | Timmins–James Bay /<br>Timmins–Baie James                     | Bisson, Gilles (ND)   |
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| Parry Sound–Muskoka                              | Miller, Norm (PC)  | Trinity–Spadina   | Marchese, Rosario (ND)  |
| Perth–Middlesex                                  | Wilkinson, John (L)  | Vaughan–King–Aurora   | <b>Sorbara, Hon. / L'hon. Greg</b> (L)<br>Minister of Finance /<br>ministre des Finances  |
| Peterborough                                     | Leal, Jeff (L)   | Waterloo–Wellington   | <b>Arnott, Ted</b> (PC) First Deputy Chair of<br>the Committee of the Whole House /<br>Premier Vice-Président du Comité plénier<br>de l'Assemblée législative   |
| Pickering–Ajax–Uxbridge                          | Arthurs, Wayne (L)   | Whitby–Ajax   | Flaherty, Jim (PC)  |
| Prince Edward–Hastings                           | Parsons, Ernie (L)   | Willowdale  | Zimmer, David (L)   |
| Renfrew–Nipissing–Pembroke                       | Yakabuski, John (PC)   | Windsor West /<br>Windsor-Ouest                               | <b>Pupatello, Hon. / L'hon. Sandra</b> (L)<br>Minister of Community and Social<br>Services, minister responsible for women's<br>issues / ministre des Services sociaux et<br>communautaires, ministre déléguée à la<br>Condition féminine |
| Sarnia–Lambton                                   | Di Cocco, Caroline (L)   | Windsor–St. Clair   | <b>Duncan, Hon. / L'hon. Dwight</b> (L)<br>Minister of Energy, Chair of Cabinet,<br>Government House Leader / ministre de<br>l'Énergie, président du Conseil des<br>ministres, leader parlementaire du<br>gouvernement                    |
| Sault Ste. Marie                                 | Oraziotti, David (L)   | York Centre /<br>York-Centre                                  | <b>Kwinter, Hon. / L'hon. Monte</b> (L)<br>Minister of Community Safety and<br>Correctional Services / ministre de la<br>Sécurité communautaire et des Services<br>correctionnels   |
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| Scarborough East /<br>Scarborough-Est            | <b>Chambers, Hon. / L'hon. Mary Anne V.</b><br>(L) Minister of Training, Colleges and<br>Universities / ministre de la Formation et<br>des Collèges et Universités   | York South–Weston /<br>York-Sud–Weston                        | <b>Cordiano, Hon. / L'hon. Joseph</b> (L)<br>Minister of Economic Development and<br>Trade / ministre du Développement<br>économique et du Commerce   |
| Scarborough Southwest /<br>Scarborough-Sud-Ouest | Berardinetti, Lorenzo (L)  | York West / York-Ouest  | Sergio, Mario (L)   |
| Scarborough–Agincourt                            | <b>Phillips, Hon. / L'hon. Gerry</b> (L)<br>Chair of the Management Board of<br>Cabinet / président du Conseil de gestion<br>du gouvernement   |   |   |
| Scarborough–Rouge River                          | <b>Curling, Hon. / L'hon. Alvin</b> (L)<br>Speaker / Président   |   |   |
| Simcoe North /<br>Simcoe-Nord                    | Dunlop, Garfield (PC)  |   |   |
| Simcoe–Grey                                      | Wilson, Jim (PC)   |   |   |
| St. Catharines                                   | <b>Bradley, Hon. / L'hon. James J.</b> (L)<br>Minister of Tourism and Recreation /<br>ministre du Tourisme et des Loisirs  |   |   |
| St. Paul's                                       | <b>Bryant, Hon. / L'hon. Michael</b> (L)<br>Attorney General, minister responsible for<br>native affairs, minister responsible for<br>democratic renewal / procureur général,<br>ministre délégué aux Affaires autochtones,<br>ministre responsable du Renouveau<br>démocratique |   |   |
| Stoney Creek                                     | Mossop, Jennifer F. (L)  |   |   |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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John Milloy, John O'Toole, Jim Wilson  
Clerk / Greffier: Trevor Day

**Finance and economic affairs /  
Finances et affaires économiques**

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Peter Fonseca, Jeff Leal, Rosario Marchese,  
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**Assemblée législative  
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(Hansard)**

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des débats  
(Hansard)**

**Monday 6 June 2005**

**Lundi 6 juin 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



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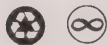
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 6 June 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 6 juin 2005

*The House met at 1330.*

*Prayers.*

## MEMBERS' STATEMENTS

### FABRY'S DISEASE

**Mr. Ted Arnott (Waterloo–Wellington):** I rise in the House this afternoon to express my absolute disappointment with the Minister of Health because of his unwillingness to exercise his authority as minister to assist the victims of Fabry's disease by approving coverage for enzyme replacement therapy.

This issue was first brought to my attention in April 2002 by my constituents John and Donna Strauss of Mannheim in Wilmot township. My staff and I began to make inquiries with the Ministry of Health, and I wrote numerous letters to the Minister of Health calling upon him to do the right thing and approve Fabrazyme as a treatment for these patients, who would otherwise have to pay up to \$300,000 a year for this medicine, an absolutely prohibitive amount of money which would soon bankrupt each and every one of these families.

The case for the coverage of Fabrazyme has been made in this House repeatedly and persistently by the MPP with the most credibility on health care issues. Of course, I'm speaking of the member for Kitchener–Waterloo. I am aware that the member for Oak Ridges and the member for Nickel Belt have also expressed their public support for Fabry's disease patients in this House. Still, the minister, in response, has demonstrated callous indifference to the pleas of the Fabry's patients as recently as last Thursday during question period—this in spite of the verbal and written assurances that he gave to Donna Strauss that he would take action to solve this problem.

How can the minister sleep at night knowing he made this commitment to these desperate people and now comes into this House making bureaucratic excuses for his inaction? How can he ignore the fact that as many as 40 countries cover this life-saving medication, that it has been approved by Health Canada, and that the provinces of British Columbia and Alberta have done the right thing for Fabry's patients? When will he earn his keep as Minister of Health, keep his promise to Fabry's patients, and take action on this issue before more lives are lost?

## PUBLIC TRANSPORTATION

**Mr. Mario G. Racco (Thornhill):** On Monday, May 30, I had the pleasure of joining my colleagues the Honourable Minister Takhar and Tony Wong, along with several York region politicians, to unveil the new Viva rapid transit vehicle.

Viva will link the region's urban centres of Markham, Vaughan, Richmond Hill, Aurora and Newmarket along four major corridors, including Highway 7 and Yonge Street. In addition, Viva will link York region with the city of Toronto and its subway system, to GO Transit and to the transit system in the region of Peel and eventually into Durham region. Viva rapid transit service will officially begin in September and will be opened in four stages between September and December.

These rapid transit buses are quiet, roomy and comfortable. The vehicles are fully accessible, with wide doors, low floors and ramps to accommodate wheelchairs and strollers. They also operate on clean-burning diesel and meet the latest emission standards. This new, modern vehicle is the first of its kind in the GTA, and I can assure everyone that when Viva begins operating this September it will provide a fantastic ride and a unique transit experience.

Viva will ensure that the current ridership remains, while attracting new public transit users. It is estimated that these initial improvements will lead to a 30% increase in transit ridership, or an additional 4.5 million riders, moving 7,000 cars a day off the major arterial roads. The Viva rapid transit system is designed with passengers in mind, offering a service that is frequent, flexible and comfortable. Rapid transit vehicles will arrive every five to 10 minutes during peak periods. This is only the beginning.

## ARCHIVES OF ONTARIO

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** It has become blatantly obvious that this government is not interested in protecting the rich historical collections housed within the building that stores Ontario's archives. For months we have heard stories of the ongoing mould infestation that is threatening the integrity of Ontario's most valuable collection of our heritage. Now the safety of staff and countless others who use the archive facilities are also at risk because the building is structurally unsafe. Last week we heard the alarming news that entire floors in the building may collapse. What can we expect to hear next week, or the week after, when tragedy strikes because this government has failed to respond? We know

that the government plans to move 80% of the collection to a new off-site storage facility north of Toronto, but we have not been told when this will happen or what will become of the most frequently used collections that the government intends to keep at the main public service facility. How can this even be an option when the safety of those who use the building is compromised?

I have received countless letters and e-mails about this problem, calling on the government to step in and do something to protect our collection. Despite the warnings we have received, nothing has been done. This lack of action not only speaks to the government's inability to keep their promises, but highlights the fact that they simply don't care about the health and the safety of the public, or the priceless material housed at the archives that is disintegrating daily due to the deplorable conditions.

It is high time that dithering on this issue be put aside and decisive action be taken. I call upon the minister today to stand in his place and protect our heritage and public safety now.

#### SENIOR CITIZENS

**Ms. Andrea Horwath (Hamilton East):** I want to acknowledge all the seniors of Hamilton this June, which is Seniors' Month. We have a great community of seniors in my city. Beyond the nice words and activities planned for this month there are some very real issues that are facing Hamilton seniors that this government has not addressed. The seniors' advisory committee for the city of Hamilton lists a host of concerns needing action. Chair Shirley Glauser and her committee know that many of our seniors face a tough time after they retire. Everything is more expensive and yet they live on fixed incomes, like pensions that have eroded in value over time. A recent survey shows that inflation hits Canadian seniors harder than other age groups. In Ontario, the seniors' inflation rate is higher than the national average and takes an even bigger bite out of meagre incomes. A pension cheque doesn't go very far when everything costs more: hydro, gas, transit fares, property taxes, rent, prescriptions, the McGuinty health tax and other new user fees.

That is why we need the government to index pensions so that they keep pace with the rising cost of living. There should be a focused strategy for improving seniors' services. Whether it's funding for seniors' centres, public transit, affordable housing or pension reform, the McGuinty government can and should do more.

I commend the groups in Hamilton East that dedicate themselves every day to serving our seniors. To the advisory committee; First Place; the YWCA and its two active living centres; Hamilton Dementia Care Network, and all the other agencies and people who dedicate themselves to the health, well-being and security of our senior citizens, thank you very much from the bottom of my heart. Happy Seniors' Month.

**Mrs. Donna H. Cansfield (Etobicoke Centre):** June is indeed the month that has been set aside in the calendar

year to celebrate and recognize the contributions of seniors in our communities, seniors such as the Honourable Margaret Norrie McCain, who recently received the very prestigious YWCA Woman of Distinction award for her work in the voluntary sector for abused women, and also for the provision of better child care.

#### 1340

I'm fortunate to have within my own constituency of Etobicoke Centre a senior advisory committee that meets on a regular basis. It consists of members from the community itself and from community care access, long-term-care facilities, service organizations and legal, just to name a few. The committee identifies relevant issues, such as Alzheimer's, respite, health, well-being, continuing access to lifelong learning, and community connections such as Jumbles Theatre, which is a remarkable theatre group that's looking to bridge the gap in diversity in our community, which will result in a play in about three years. These are the types of issues we talk about, and these are the types of things we do in our community. We also discuss relevant issues relating to proposed legislation, which enables me to come back to the community.

Allow me also to say thank you to some very special people as the session ends: to Janet Marchezauz, Anne Wood and Margaret Williams in my constituency office, and to Rebecca, Chris, Sarah and Audrey. You're all wonderful.

Charlotte Whitton, the former mayor of Ottawa, once said that being a woman in political life, you have to work twice as hard as others to prove yourself. Fortunately, when I have such wonderful people around me, it's twice as easy.

#### ELECTRICITY SUPPLY

**Mr. John O'Toole (Durham):** I rise in the House today to remind the Minister of Energy, as well as all members, that Ontario is entering the peak months of power consumption. Today's high consumption of electricity proves my point. At 11 a.m., Ontario electricity demand had already hit 21,596 megawatts. The price of power had reached 10.6 cents per kilowatt hour. Today's projected peak in electricity consumption is estimated at 23,466 megawatts.

Ontario is able to meet this demand because of coal-powered plants such as Lambton, which has a capacity of 1,975 megawatts, and Nanticoke, which has a capacity of 3,920 megawatts, that are available to contribute over 20% of the total capacity to the generation system. Yet, if you believe this government, we must close all coal-powered plants within two years. If you believe this government, we can completely replace about a quarter of Ontario's generating capacity by 2007—unrealistic.

I would invite the members to take a look at the hydro meters today and ask whether this government's electricity policy will meet demands this summer.

In the remaining time, I'd like to recognize the well-behaved young students who are visiting in the chamber today.



## SCLERODERMA

**Mr. Richard Patten (Ottawa Centre):** Several times during this month of June, many committed residents from rural, urban and small-town Ontario will volunteer to heighten the profile of scleroderma and to raise funds for continued support of research into the causes and cures of this demonic disease.

June is Scleroderma Month across Ontario. It is a progressive disease of the vascular and immune systems and a severe connective tissue disorder. Still-unknown factors trigger the overproduction of collagen, with resulting thickening, hardening and scarring of the skin and some internal organs, most commonly the digestive, circulatory, pulmonary and muscular systems. Blood vessels tend to narrow, causing diminished blood flow. Patients become unduly sensitive to the cold and suffer discoloration, thickening and tightening of the skin. Internally, it's very common that there is a narrowing of the esophagus, creating swallowing problems, and digestive difficulties most assuredly arise. The lungs, heart and kidneys are also affected by this ailment.

More prevalent than muscular dystrophy or multiple sclerosis, scleroderma affects an estimated two to three people in 10,000. Four out of five affected are women between the ages of 30 and 50. Its causes are unknown. It is not contagious, and it is not hereditary. It does strike every age, every ethnic background and both sexes. It is estimated that there are as many as 40,000 cases in Canada. A good friend of ours, Audrey Gouskos, is now recovering from a near-fatal outcome associated with this terrible disease.

The Scleroderma Society of Ontario consists of volunteers and volunteers only. It is moving forward quickly, with the encouragement of the medical fraternity, to find a cure for this dreaded disease—we hope sooner than later.

## PROFESSIONAL ENGINEERS

**Mr. Ernie Parsons (Prince Edward–Hastings):** As a professional engineer, I would like to take this opportunity to join all members in celebration of Engineering for Ontarians Day. This is separate from Hug an Engineer Day, which is every other day of the year.

There are close to 70,000 professional engineers in the province, and I would ask that the House recognize the important role engineers play in making our province strong, safe and a great place to live.

If I could direct members' attention to the gallery, we have with us today representatives from Professional Engineers Ontario, the organization that has been regulating the practice of professional engineering in the public interest for more than 80 years. Our guests include president Robert A. Goodings, registrar and CEO Kim Allen, past president George Comrie, president-elect Pat Quinn, deputy registrar Johnny Zuccon, and Ken McMartin, P.Eng., president-elect of the Canadian Council of Professional Engineers. Thank you for being with us.

Let us also extend a warm welcome to the good contingent of professional engineers and PEO spokespersons who have joined us today. We're pleased to have you here, and we greatly appreciate the important work you do.

Along with fellow members Phil McNeely and Norm Sterling, I am pleased to be co-sponsoring a reception for PEO in the legislative dining room later this afternoon. All members are duly invited to attend the event, where the Honourable Michael Bryant will be delivering brief remarks. Attendance will be taken.

Please join us in recognizing this day and the invaluable work professional engineers do for our province.

## FEDERAL-PROVINCIAL FISCAL POLICIES

**Ms. Jennifer F. Mossop (Stoney Creek):** We all know that a strong Canada needs a strong Ontario, and in order to keep Ontario strong, we need to invest in our people.

Ontario currently faces a gap when it comes to the money it receives from the federal government and what it sends to the federal government. While Ontario is honoured to support the rest of this country, we are stretched beyond what we can afford.

I want to commend Premier Dalton McGuinty for tackling an issue that few, if any, Premiers have had any success in quantifying, communicating or altering. As the great Canadian author Margaret Laurence once said, what matters is "trying to express something that in fact everybody knows, but doesn't say or can't express." Well, Premier McGuinty is saying to the federal government that we have a fairness issue, and he has found a way to express it.

Here's an example of where Ontario falls short of its fair share: In 2004, 29.5% of unemployed Ontarians qualified for EI benefits and the average benefit per unemployed person was \$5,030. In the rest of Canada, 52% of unemployed persons qualified for EI and the average benefit per unemployed person was \$8,338. If unemployed Ontarians were given the same benefit levels as the rest of Canadians, an additional \$1.5 billion would flow into Ontario pockets. Unemployed Ontarians deserve the same support from the federal government provided to unemployed people in the rest of the country.

I urge the federal government to continue to work with the McGuinty government to close the economic gap and provide Ontarians with the support they need and deserve.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms. Marilyn Churley (Toronto–Danforth):** I beg leave to present the first report, 2005, of the standing committee on regulations and private bills.

**The Speaker (Hon. Alvin Curling):** Does the member wish to make a brief statement? No.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC AMENDMENT ACT (LICENCE SUSPENSIONS), 2005

#### LOI DE 2005 MODIFIANT LE CODE DE LA ROUTE (SUSPENSIONS DE PERMIS)

Mr. Zimmer moved first reading of the following bill:

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences / Projet de loi 209, Loi modifiant le Code de la route en ce qui concerne les suspensions de permis de conduire.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. David Zimmer (Willowdale):** This is a bill designed to provide for the following consequence: If someone is convicted of a boating offence involving the use of alcohol, that conviction will trigger a suspension of an Ontario driver's licence if they hold an Ontario driver's licence.

### CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE

Mrs. Bountrogianni moved first reading of the following bill:

Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts / Projet de loi 210, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications complémentaires à d'autres lois.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that this motion carry? Carried.

The minister has the floor.

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I reserve my comments for ministerial statements.

## MOTIONS

### HOUSE SITTINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. till 12 midnight on Monday, June 6, 2005, for the purpose of considering government business.

**The Speaker (Hon. Alvin Curling):** The government House leader has moved government notice of motion 388. Is it the pleasure of the House that this motion carry?

All those in favour, please say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1352 to 1357.*

**The Speaker:** The government House leader has moved government notice of motion 388. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne  
Baird, John R.  
Bentley, Christopher  
Bountrogianni, Marie  
Bradley, James J.  
Brotten, Laurel C.  
Brown, Michael A.  
Cansfield, Donna H.  
Caplan, David  
Chudleigh, Ted  
Colle, Mike  
Craitor, Kim  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Flynn, Kevin Daniel  
Fonseca, Peter

Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Jeffrey, Linda  
Kular, Kuldeep  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
Meilleur, Madeleine  
Miller, Norm  
Milloy, John  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Ouellette, Jerry J.  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Peterson, Tim

Phillips, Gerry  
Pupatello, Sandra  
Racco, Mario G.  
Rinaldi, Lou  
Runciman, Robert W.  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sorbara, Gregory S.  
Tory, John  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Yakubski, John  
Zimmer, David

**The Speaker:** All those against, please rise one at a time and be recognized by the Clerk.

#### Nays

Hampton, Howard  
Horwath, Andrea

Kormos, Peter  
Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 64; the nays are 4.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ADOPTION

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'm pleased to rise in the House today to inform members of the historic step we are taking on behalf of the thousands of children and youth in Ontario who are in the permanent care of a children's aid society.

We often hear stories in the news about children who are taken into the care of the children's aid society. These



are children who have been abused or neglected or whose parents could not take care of them. But we don't hear many news stories about what happens to those children after the crisis has subsided. Some of those children thrive, but often these children get trapped in a system that doesn't work for them.

In Ontario, there are roughly 9,000 children in the permanent care of a children's aid society. They live in foster homes and they live in group homes. On average, children in foster or group care are moved every two years. Consider that situation. It's not just moving your stuff; it's leaving your friends and your school, it's a new house, a new foster family, a new group home, new rules, new expectations. That kind of instability affects every part of a child's life: their education, their self-esteem and their ability to form meaningful long-term relationships.

The current system is too rigid. We need to help more children find a permanent, caring home by making adoption more flexible for individual children and friendlier for parents. Today, I introduced legislation that, if passed, would modernize the rules around adoption so they work for children and families. These proposed changes would remove the rigid restriction that a child must completely sever all ties to his or her birth family before being eligible for adoption.

Right now, 70% of children in permanent care can't be adopted because their birth family has a court-ordered right to contact them. When judges make an order that a child become a ward of the state, they may be hesitant to seal off all contact with the family, except in those cases where it's necessary for the child's safety. So the birth family would have the opportunity to visit the child, for example, twice a year. That often makes sense, but it should not automatically make the child ineligible to become a permanent member of a new family. Proposed changes would mean that a child could keep those important ties to their family, community and culture and still be adopted or placed in a permanent home.

We know that adoption will help a number of these children find a secure, stable family, but we also know that it's not the answer for every child. Right now, if a child can't be adopted, they often have no choice but foster or group care. Instead of trying to make the child fit the rules, we're changing the rules to fit the child.

Proposed changes would give children's aid societies more flexibility to meet the needs of each child. For some children, it would mean being placed with a member of their extended family, someone they already know and trust. It may be a grandparent; for others, it would be being placed with another adult, possibly a member of their community, even a long-time foster parent. A young person could have the legal and emotional certainty of a permanent home and family, at least until they turn 18. The proposed changes are part of our government's plan to help more children and youth in care of children's aid societies thrive in a safe, stable, supportive home.

We're making the system friendlier for prospective parents, removing some of the barriers that often discour-

age people from adopting in Ontario. Parents who have tried to adopt a child from a children's aid society will tell you that it's a cumbersome, inconsistent process. So we are standardizing the application process so that it is the same in Toronto as it is in Timmins. It will even be the same for private adoptions, so prospective parents will not have to go through a different screening process every time they speak with a different agency.

We're already working with the Adoption Council of Ontario and children's aid societies to develop a province-wide Web site that will help societies match children who are available for adoption with would-be parents. And for those families that need it, there will be some post-adoption support so that families who adopt a child from a children's aid society aren't suddenly left on their own.

We're also making three changes to the way children's aid societies do business, changes that will make the societies more stable and sustainable so that they are there for children who need them for years to come.

First, this year we will begin to provide a new funding framework. That framework puts a greater emphasis on the specific results that we want to see for children, like adoption. As well, last year we provided added resources to put the societies on a stable footing going forward.

Second, the societies will also have more options available to them when they respond to new cases. It always starts with a rigorous safety assessment, but after that, the societies will be able to match their level of response to the need of the child.

Third, the legislation proposes more extensive use of mediation instead of courts in child protection matters. Mediation is less adversarial and often better for the child and family.

Together, these changes will help children's aid societies achieve even more adoptions so that more children can live in the security of a permanent, loving home. Across Ontario, there are thousands of children who need a permanent family and a great many families who want to bring a child into their lives. We are helping bring them together. By making adoption more flexible for children and friendlier for parents, I believe the result will be more happy childhoods and more loving, stable, permanent families.

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. Cameron Jackson (Burlington):** It's my opportunity to rise in the House today to respond to the minister's announcement. For the purposes of the people watching on television, this is the size of the legislation that was tabled today.

What I find most interesting is that this minister and this ministry continue to be embroiled in a high degree of turmoil. We're still not seeing an overall plan to help us get through this period when the minister seems to be battling on several fronts: not only in our courts, as we witnessed last week, but also with the privacy commissioner and the federal government, in terms of charter protections for children. Now she's wandering into the

Child and Family Services Act with substantive reforms in the dying days of this legislative session.

My first question to the minister is: Where is the Bruce Rivers report that you promised to make public, so we can put all of these kinds of reforms into an overall program plan and a business plan, so we can understand exactly where the changes are going to occur, not just for children's aid societies but for families who are dependent on the government to manage child welfare issues? We have not seen the Bruce Rivers report, yet you've cherry-picked part of that report and dropped this on the floor of the Legislature today. No real plan; no real program. You seem to be all over the map on this issue.

Even your statement in the House today bears further scrutiny. I'll give you an example. Minister, you talk on page 4 about the resources you put in place. The resources you put in place last year were to pay for the deficits of a year ago, with no promise to assist children's aid societies today. Currently, children's aid societies are carrying about a \$70-million deficit. Their boards are cash-flowing to keep their employees salaried and in place for child protection in our province. Nowhere in your announcement have you discussed that.

You go on to say that the societies will also have more options available. I haven't read through the document, but if you're talking about the suggestion for differentiated responses, which has been talked about, that means that when there is a child protection issue, the children's aid societies won't have to do as thorough an investigation. The reason children's aid societies' budgets went from half a billion to \$1.1 billion in under five years in this province is that clearly we needed to give children's aid societies the resources to be as thorough and comprehensive with each and every one of their cases. Now you're going to take us back—of course, you don't mention that in your comments. It's buried inside these three and a half inches of legislative changes, but that's what differentiated responses are.

It's the same with your reference to kinship care. It's wonderful that we can call up a grandparent or uncle or aunt and say, "Would you please take your sister's son? We'll pay you. After all, we're paying foster care from as low as \$25 a day to as high as \$100 a day. But you know what? We can save some money if you'll take that child off our hands, but we'll pay you to be the surrogate parent for your own relation. We'll pay you \$40, \$50 or \$60 a day of taxpayers' money." If that's in fact what you're going to be doing, you should be saying that and you should be making that clear. But again, we don't know that, because that's not what's in your announcement today and, frankly, you have not tabled the Bruce Rivers report so we can look at that thoughtful bit of effort to determine exactly what the overall plan will be.

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You're currently in the courts with some of these families with adoption issues. You're literally countering the families for their requests of the government to come up with the necessary funding. The incentives that you're looking for to provide CASs are essentially a cost-

containment strategy and not a child welfare outcomes issue.

Bill 183 has been well documented in this House. You're currently embroiled in controversies here, and yet you're talking about increasing the number of adoptions at a time when you're going to be eliminating an adoption registry and when CASs are required to carry huge deficits. You've done nothing to protect those children whom your own ministry has taken away from a family because they've been sexually assaulted, and now you're going to accelerate their adoption and provide access to the families of these children under these changes.

Minister, you have no plan. I wish you would table the Rivers report as soon as possible so that we can comment properly on these reforms.

*Interjections.*

**The Speaker:** Could I have less discussion in Parliament? I hear a lot of discussion. Could you limit it to a much quieter tone or do it outside, please?

Responses: member from Hamilton East.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to respond to the Minister of Children and Youth Services and to acknowledge that it is extremely important to give children the opportunity for stable family life, the opportunity for stable and successful adoptions. That's definitely a goal that I think we all share.

It's a tragedy that we're seeing, in all communities across the province, the tragedy of children being forced to grow up in foster homes and group homes. That's not the environment that anybody would want a child to be growing up in in this day and age. I know the adoption community and grandparents and many people were waiting for this to come forward, were waiting for this kind of change to happen, and I'm sure that they are, at this point in time, lauding the initiative. It's no doubt important, and I think we would all agree it's important, that we need to get these children adopted into stable situations as quickly and as seamlessly as possible in this province, but not before the government has an opportunity to sort out who was given to children's aid societies inappropriately in the first place and under false pretences.

The ministry would know that it currently has a really big problem on its hands because it doesn't track very well the basic information they obtain about these children. We also know that in many cases children's aid societies have a dismal record with severely challenged children, children with severe disabilities. The ministry has hardly any information at all about what is happening with these children.

A recent Queen's University study showed that adoption disruption rates were 43.2% for children with disabling conditions compared to 4.8% for children without such conditions. Four per cent is a good record, but 43% is definitely not a good record. That's something the government seriously needs to work on. The Queen's University study actually came up with a couple of



recommendations, which include enhancing the focus on children with disabling conditions, promoting research in the permanency of outcomes for children with disabling conditions and improving data collection and ministry reporting on the crown ward population. These are some very tangible measures that need to be put in place to improve the situation for children with disabling conditions.

The ministry has historically done a terrible job of collecting and retaining this basic information about children in care. We should really be careful about children who have special needs and make sure that reuniting them with their families takes priority over the adoption by new families within the context of what we're seeing happening in the province right now.

The Queen's study shows that there are many barriers facing disabled children who need adoption, and the ministry needs to follow their recommendations very closely. The ministry is able to actually make some of those changes, and we'd like to see that happening right away. In fact, in the context of what's been happening in the province with the Ombudsman's report, you would think that the minister would have taken this opportunity today with this announcement to announce that she was implementing all four of the recommendations that came from that very condemning report.

In fact, I was in court just last week, on Friday, with lawyers representing Anne Larcade, who was concerned about the situation with her son Alexandre, and the many other families who are dealing with the fact that they were forced to give up custody of their children just so those children could get the services they need from this province.

There's no doubt that grandparents will be very happy about what they're seeing today, but there's another issue, and that is the issue of affordability. While the announcements of the minister are important, what we need to keep our eye on is how well people can take advantage of this situation and actually get those children into the stable situations they need to have to grow and prosper in life.

The other issue that leaves me with some concern about the huge document I received today is the issue of mediation and child protection. I think that's a very concerning prospect because we know that in any situation of mediation—for example, alternative dispute resolutions in family matters—there is always a power imbalance that needs to be dealt with. There are significant concerns that we need to address, and I'm not quite sure that the minister has taken that into consideration. Yes, there are backlogs in the family courts that we need to address. Yes, that's a serious problem we need to get through, but there are ways of dealing with that to make sure that everybody is appropriately represented with the appropriate framework around it to make sure that the best possible solutions are outcomes—something like family law clinics, which we have advocated for for quite some time in this province and would like to see implemented.

Those are my comments; there are many, many more that I'm sure I will have as I review the information I received today.

#### ANNIVERSARY OF D-DAY

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent for each party to speak for up to five minutes in recognition of the anniversary of D-Day.

**The Speaker (Hon. Alvin Curling):** The government House leader requests unanimous consent. Agreed? Agreed.

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** It's my privilege today to rise during this Year of the Veteran to mark the anniversary of D-Day, June 6, 1944, and to honour all those Ontarians who fought with other Canadians and Allies that day and through the war.

As we all know, the invasion of Normandy was the largest combined sea, air and land military operation in history. Tragically, it took the lives of hundreds of Canadians that day, and 600 were wounded and dozens were taken prisoner. Yet proudly, by day's end, Canadians had advanced further through enemy lines than any other force. It's no wonder that this conflict remains so profoundly and deeply felt generations later. Amazingly, over one million Canadians and Newfoundlanders volunteered to serve in the Second World War. That was one in 11 Canadians. Tragically, by the end of the war, one out of 10 of those who had gone off to war was either dead or wounded.

D-Day and the Battle of Normandy marked the turning point in the Second World War. The Year of the Veteran marks some of those significant milestones that we have all been recognizing: the 60th anniversary of the liberation of the Netherlands, victory in Europe and victory in Japan. This year is an opportunity to celebrate, honour, remember and, importantly, thank our veterans, and importantly to teach our youth about the contributions and the sacrifices our veterans made both here and abroad in war and peace. Our veterans deserve respect and recognition for their sacrifice and accomplishments to preserve our freedom and safety and for the contributions they continue to make.

Today, Ontario is proud to have over 100,000 Second World War veterans sharing with us the peace and safety that they helped to preserve. While many are well into their 80s and 90s, many of us know many of them who have a zest for life that is ageless. That was evident in all of our ridings last month when thousands of veterans marched across the province to mark Victory in Europe Day and to dance at the CNE on May 8. Strong and vital communities are the legacy of those who fought so bravely to preserve the freedoms we enjoy today.

We're committed to ensuring that future generations recognize and remember the contributions of all our veterans, including those with us today and those who made the ultimate sacrifice. With the support of your gov-

ernment, veterans are bringing history alive for students in school face to face—many of us have been in schools where veterans have been in those classrooms—and on-line through a project called the Memory Project, which is led by our Dominion Institute. We are also supporting the Dominion Institute's Memory Project road show. The road show records veterans' stories in their own words and voices. It records their artifacts, such as medals, photographs and letters. This will be accessible to generations to come as our Memory Project Web site begins its eight-city road show.

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I'm also pleased to report, as the Premier has in the past, that with your support and the support of all three parties in the Legislature, we are making significant progress toward our project of constructing a veterans' memorial right here on the grounds of Queen's Park. This memorial will be a fitting and lasting tribute to the heroism, the dedication and the loyalty of all of our armed forces members past and present, in times of war and in times of peace. As you know, the memorial will be built on the front lawn of Queen's Park, visible and accessible to everyone who comes to visit. In fact, this is the first time in almost 70 years that approval has been given by the Legislature to erect a structure on its lawns. I'm very pleased with the co-operation we have received from you, Mr. Speaker, and from all parties in the Legislature.

June, as you know, is recognized as Seniors' Month in the province, an annual tradition that we have recognized for over 20 years. This month allows us to recognize older Ontarians who continue to make enormous contributions to their families, their communities and country. Each of our proud veterans has made, and continues to make, an important contribution to Ontario. On behalf of all Ontarians, I salute them and I thank them for their enormous contribution to our province.

**Mr. Ted Arnott (Waterloo-Wellington):** This morning while I was reading my newspaper at home at the breakfast table, I noticed the date on the paper as being June 6. I remarked to our boys, who were eating breakfast with me, that today is a very special day, because 61 years ago today, the guns of freedom were discharged on the beaches of Normandy, launching the final phase of the liberation of Europe from its Nazi enslavement.

We commemorate many of the anniversaries associated with World War I and World War II. On or around November 11, Royal Canadian Legions across this country hold solemn observances to remind us of the horrors of war, the sacrifices of the generation who gave their all to achieve our victories, and the need for us, the generations who follow, to never, ever forget.

Just a month ago, many scores of Canadian Expeditionary Force veterans of the campaign in Holland returned to that grateful country for a hero's welcome. Still proud and charismatic but now carrying the burden of age, many of these veterans were probably visiting the Netherlands for the final time. To say that the Dutch people are thankful for what Canadians did there in the

1940s would be to understate the degree of heartfelt appreciation that they continue to demonstrate every time they see the Canadian flag.

The events of June 6, 1944, hold special symbolic importance for all of us today. Many of us have a view of that day which has been provided for us by Hollywood through the films *Saving Private Ryan* and *The Longest Day*, or perhaps the recent television film *Eisenhower*. Without a doubt, these historical depictions give us a somewhat greater appreciation of what it must have been like for the men who disembarked from those landing craft into that wall of fire.

What we don't often contemplate is the fact that without a successful amphibious landing in France in 1944, there would have been no way of dislodging the Nazi regime, and there was no guarantee that the landings would succeed. In fact, I believe that General Eisenhower had prepared a speech which would have been broadcast over the radio where he would have taken full personal responsibility for the failure of the landings if the Allied forces had been turned back into the sea and been unable to establish the vital bridgehead that they needed. Such is the magnitude of that historic event on Juno Beach on that stormy day. If the landings had been unsuccessful, it is not difficult to speculate that the war would have been prolonged, more lives would have been lost, and the human misery that war represents would have been intensified for millions.

It has been my privilege to come to know well one of our Canadian veterans who participated in the Normandy campaign, having landed just hours after D-Day. Donald J. MacDougall of Harriston, who goes by the name of Tuffy, I think going back to his years in the Canadian army, is someone I admire greatly, because to me he exemplifies the courage and sacrifice of that entire generation.

I return again to this morning at our family's breakfast table. We need to know about what happened 61 years ago today. We need to make sure that our children know about it. We need to make certain that future generations, even after the passing of our veterans, continue to recognize the superlative valour of every single Canadian who wore a uniform when their country needed them and the millions whose toil here at home supported them.

I'm pleased that I've had the opportunity to speak briefly in the House in commemoration of the anniversary of D-Day on behalf of our party's critic for citizenship, the member for Burlington. I thank you.

**Mr. Howard Hampton (Kenora-Rainy River):** I too am pleased to be able to participate in what is I believe a very significant moment in Canadian history. I want to follow on my colleague's statement, that too often we tend to take history for granted. We tend to assume that it just happened this way. I think it's good for all of us to reflect on the fact that D-Day didn't just happen; it wasn't a guaranteed success. As my colleague said, Eisenhower actually carried around in his pocket, until very late in the day of 6 June, a press release which would have said, "Our landings have been a failure. We



are withdrawing from the continent,” and then taking responsibility. In fact, Churchill said this was such a gamble that if it didn't succeed, it would likely be years before the allied armies would have sufficient strength to enter Europe again.

It really was quite a gamble. The weather was a gamble. Whether or not the landings were still going to be a secret was a gamble. So there were all kinds of uncertainties to it.

What is really amazing is the success that was achieved, and the success that was achieved by and large, in Canada's terms, by soldiers and sailors and flyers who were all volunteers. These were not professional soldiers; these were all volunteers. Many of them had enlisted in the armed forces because they'd come through the Depression and they were sick and tired of being unemployed. They wanted a job and they wanted three square meals a day, and that's what they thought of.

Over 15,000 Canadians participated that day. What I think Canadians need to know is that Canada was not a large country then: 11 million people. Yet Canada virtually participated on an equal basis with the United States and Britain. Canadians landed as paratroopers. In fact, the history of the 1st Canadian Parachute Battalion is probably one of the most interesting. As everyone knows, paratroops have the most dangerous job, but the 1st Canadian Parachute Battalion probably had the most dangerous job of all. They were landed far out on the flank, and their job was to blow up a number of bridges before the German army knew that the bridges had been blown up. It was really quite an amazing feat, which probably is one of the best histories of D-Day.

Another Canadian—he actually lives in Winnipeg now—did something equally outstanding. If anyone has ever seen the movie *The Longest Day*, you'll know there is a scene where a glider lands quite close to a bridge that had to be captured. It's regarded as the greatest feat ever of military flying. The pilot landed the glider 47 yards from the bridge so that the paratroops were able to get out and rush the bridge without anyone knowing it. Forty-seven yards away from the bridge on a dark night with no moon and cloud cover. Where does that pilot live? He lives in Winnipeg.

A year ago, I was able to see him interviewed. They asked him what special skill he had. He said, “Look, I was only 19 years old. I was just trying to do my job and make sure I lived through the night.” Incredible things were done by people who were very young and just trying to do their job.

Nowadays, many of these people are in their 80s and we recognize them on special days, but, again, I want to agree with my colleagues here: I think it's important that we do something more than that.

This was such a unique turning point in the history of the world.

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I just want to read something that a Canadian journalist said at the time. This is by Lionel Shapiro. He was then a columnist for Maclean's magazine. On the evening

of June 6, in the dining room of l'Hôtel Belle Plage, just a few hundred yards from the beach in front of Bernières-sur-Mer, which Canadians had liberated, Shapiro sat down at his typewriter and reflected on the day's events. “Then, reflecting on the Canadian citizen soldiers, whose ‘appetite for battle’ he had chronicled in Sicily, he wrote finally about their premier victory in France, ‘Between the little seaside town of Bernières-sur-Mer and the Caen battle front, Canadian troops have written an immortal history.’”

It really is an immortal history, and that's why I believe we need to do more. These, in many ways, were some of Canada's finest hours, by people who were citizen soldiers just trying to do their job.

*Applause.*

## ORAL QUESTIONS

### ADOPTION DISCLOSURE

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Last week we referenced here a number of examples and concerns that echoed those raised by the privacy commissioner about your adoption disclosure bill; specifically, the privacy of those birth parents or adoptees who do not wish to have their identities revealed. Your minister did not, at that time, disclose any details about how the tribunal that is proposed, or that exists and would hear some of these applications, would actually work for people in just this circumstance. In fact, she repeatedly said it would be dealt with by way of the regulations that would be developed. I think it's part of a trend, over many years, where governments of all stripes seem to decide that issues are far too complex or far too difficult for mere parliamentarians to deal with.

My question to the Premier is, will you include as part of the legislation itself, as opposed to leaving it entirely to regulations developed later in secret, some specific criteria and procedures that would govern the role of the tribunal in hearing applications from those who are concerned about the violation of their privacy rights?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The minister would like to speak to this.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** The Leader of the Opposition and I had an opportunity to discuss over the telephone today the content of an amendment that is being tabled at committee this afternoon. That is in keeping with the conversation we had last week, where I assured the member opposite that if he had concerns about details involving information for abused children who are now adult adoptees to access information and have the opportunity for that veto—rather than his not seeing that by regulation but wishing to see that in the bill, that is the amendment that will be tabled this afternoon. I hope that

goes a long way to assure the member opposite that not only are our intentions good, but we are now coming forward with an amendment that will show him what would have been done by regulation.

Ultimately and in the end, there are two pillars here. Yes, there is a controversy for part of it, but the lion's share of individuals who are affiliated with this issue on adoption want two things: They want retroactivity and they want that openness, with protection for those extreme circumstances. I believe that, with the work we have done over several months, that is what we have today.

**Mr. Tory:** As I've indicated a number of times here and elsewhere, we'll have to see these amendments to see if they fulfill the purpose I was describing; namely, to give people some greater degree of comfort that we know in the legislation how these tribunals are going to be set up and how they're going to work.

Yesterday's Toronto Sun editorial said, "The Liberals have proposed a bill which, while it has several positive aspects, is fatally flawed because it ignores the fundamental and non-negotiable privacy rights of both adopted children and their birth parents." The privacy commissioner has said the same thing.

Premier, given some of these comments and concerns, we're asking that you outline the details of exactly how this bill would work before it is passed. The minister has made some allusion to perhaps doing some of that later today. As an example, under the Victims' Bill of Rights, a person who has been the victim of sexual assault is presumed to be a victim; no justification is required. Under your legislation as written, however, a victim of sexual abuse would have to appear in person before a tribunal and beg for their privacy. We don't think this is right.

My question is this: At the very least, will you set out, in your legislation, means by which those who wish their information to be kept private may still have their submissions put in front of the tribunal without having to relive the entire experience, especially in person?

**Hon. Ms. Papatello:** Let me say for the leader opposite that the work that will be done through the course of the summer, if we're successful with the passage of this bill, would be exactly that. We have never had the intention to have people relive horrible experiences. We also understand that 3% to 5% of those related to adoption may be in this. For those people, what we are saying is that there will be protection for individuals who come from an abused background. If that CAS file has abuse in it, that file will be stopped. That adoptee, that adult, will have a choice to release that information. Many of them want it released anyway, but we are giving them that choice. So that will now be in the law, as I said—in the amendment.

For the birth parents, there will be circumstances that no one in this House can describe that would constitute, in their view, extreme harm. You and I are not going to be the ones who are going to be the judge of that. It will, in fact, be by the panel. We will make a process that will work for those individuals.

**Mr. Tory:** We're still in this mode of, "Pass the bill now and we'll sort out the details later." I think that there are members of this House and, indeed, members of the public who might like to be involved in a very public way in sorting out the details now, concurrent with the passage of any piece of legislation.

The minister has indicated in the media that the most common case—of a mother who had given up a child for adoption and did not want to relive the pain and anguish associated in her case with that decision—would not be successful in a bid to have her privacy maintained were she to apply to this tribunal to have the information kept private. Recognizing, as the minister just said, the relatively low percentage of files that will go to a hearing, are you willing to include in the legislation, as part of the provisions we've been discussing today, an explicit mandate given to the tribunal to hear and decide upon any application to be brought by anyone so that there can and will be a balanced consideration of both the protection of privacy rights and the benefits which would flow from disclosure of information, without any arbitrary assumption in advance as to which rights should prevail in a given case? Are you willing to give the tribunal that explicit mandate?

**Hon. Ms. Papatello:** Let me just say that it has always been the intention, and the bill, as it is written, allows for individuals to come before that tribunal, however easy that process will be. I can tell you that it will be an easy process. If anyone has described it as something difficult, that's their description, not ours.

I will also say that in all of the parts that will require regulation, we have laid out a plan for open consultation on the regulation-making; stakeholder consultation on its development; e-consultation so that people can do it anonymously; and it will include the regulations that will affect the adopted children as well as the birth parents.

In answer specifically to the question that this member asks: Absolutely. We will have a process by which people can get involved in the development of those regulations, especially for the cases that he describes.

**The Speaker (Hon. Alvin Curling):** Final supplementary.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** New question.

**The Speaker:** New question.

## HYDRO ONE LABOUR DISPUTE

**Mr. John Tory (Leader of the Opposition):** I'd love another supplementary, Mr. Speaker. I would say that what I asked for there was a specific legislative provision that would mandate the committee, but we'll go to a new question, again for the Premier.

For the first time in the history of Hydro One, engineers, scientists and safety supervisors are on strike. Indeed, this is the first strike vote taken by these energy professionals in over 50 years.

Last week, in responding to a question from our energy critic, your energy minister said that a "robust



contingency plan"—his words, not mine—was in place for this strike. What specifically is in your plan to ensure the safety and reliability of our power system and to ensure that the lights remain on in Ontario? Can you share some of those details with us?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I'm going to allow the Minister of Energy to speak to this in the supplementaries, but let me just say at the outset that it is indeed unfortunate that it has come to this and that there is a strike. I'm sure the Leader of the Opposition would agree with me that we should, in the strongest possible terms, be urging both sides to continue to talk to ensure that, at all times, the public interest is upheld. Notwithstanding the fact that we find ourselves in this situation, I remain optimistic, I remain hopeful, and again I urge both sides to come together, work out their differences and do so in a way that always upholds the public interest and public safety.

1440

**Mr. Tory:** I think we would all share those sentiments, though it had little to do with my question. I'll try again.

It was the Ontario Minister of Energy who boasted of a robust plan in the event of a strike when we asked him about this last Wednesday. All I'm seeking is an assurance on behalf of the people and the businesses of Ontario that we will continue to have a reliable, safe electricity system while these people have withdrawn their services.

The Ontario Society of Professional Engineers sent a letter to the members of your cabinet two months ago raising concerns over a potential strike. The letter says, "Professional engineers of Hydro One are responsible for the protection and control of transmission operation and supervision of the safety of work rules. Their role is critical to recovery from outage situations such as the August 2003 blackout."

My questions is this: You've known about this strike for over two months. I think it is fair now for you to share with us details and specific elements of your robust contingency plans so that people and businesses know they can rely on a stable supply of electricity and maintain their confidence in that important element of our economy.

**Hon. Mr. McGuinty:** To the Minister of Energy.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** The plan was devised and developed by Hydro One. It has been subject to review by the Independent Electricity System Operator, which is an organization that is separate from Hydro One. They have responsibility for overseeing the flow of electricity from generation through to transmission and distribution. They reported publicly this weekend that they are satisfied that this is a robust contingency plan, one that will serve the interests of the province while this dispute is ongoing.

As the Premier said, it is our hope that both sides will get back to the bargaining table and be able to resolve the

dispute before them. In the interim, the plan has been overseen by the Independent Electricity System Operator, which is the expert in these matters. They are satisfied that the plan will serve to protect consumer interests in Ontario during this period of time.

**Mr. Tory:** While I certainly welcome the minister's volume today, which I would say might be appropriate to be used at a Rosedale tea party, he didn't answer my question, which was to talk about the plan. He told us there was a plan and he said the plan is a plan we can all rely on, and so forth. We need to have some assurances from this government, and the people of Ontario need those assurances. It's not unreasonable for us to ask about some of the details of those plans. We have seen the detrimental effects that small power interruptions can have on daily life in Ontario. Two weeks ago, NOVA Chemicals lost \$25 million as a result of a four-second power outage which occurred at a transmission station in Milton. In that case, it was the Hydro One engineers who had to fix it.

I'm going to ask one more time: Can you tell us what the elements are of this robust plan that you referred to so confidently a few days ago? Can you give the people and the businesses the assurance they need that they will have a confident, reliable supply of energy during the course of this work stoppage?

**Hon. Mr. Duncan:** The member opposite will be aware that the operations of the system and its security are overseen by the Independent Electricity System Operator. The elements include management employees from within Hydro One who will fulfill obligations, so you have that contingency. The contingency deals with making sure of the safety of the system itself, quite apart from the potential public impact. Those are defined in regulation and enforced by the IESO, and I'll be happy to send those regulations to the Leader of the Opposition.

It deals with a range of contingencies. For instance, last night, power was lost in Puslinch township. That was a routine outage caused by weather. Power was lost briefly in my riding last night as a result of a storm. There are routinely outages every day throughout the province. There's a set of rules that are publicly available that govern how we operate our system. They're overseen by the Independent Electricity System Operator. I have confidence in their ability to ensure that this contingency plan will serve the system well throughout the duration of this labour situation.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Howard Hampton (Kenora-Rainy River):** A question for the Premier: Premier, it is a very hot day indeed. People are turning on their air conditioners across southern Ontario, and the usage of hydroelectricity is surging. But while that's happening, 1,000 of the skilled engineering professionals whose job it is to ensure a stable provision of hydroelectricity are off the job. For the first time in 60 years, they are not on the job.

Last week, we made a modest request that you take responsibility and get both sides together to try to find an agreement. Premier, why do you sit on the sidelines

while Ontario's hydroelectricity supply comes under greater risk every day?

**Hon. Mr. McGuinty:** The Minister of Energy.

**Hon. Mr. Duncan:** Earlier, before I came into the House, I checked: Peak demand is expected to reach 23,000 megawatts of power today, or a little bit higher. There will be the routine imports of electricity on a day like today. The IESO reports that on Monday and Tuesday of this week, we expect domestic production to be augmented. I should also point out that three out of 15 nuclear units are out of service at this moment. Our reserve remains at approximately 20%. Two of those three are on planned maintenance. So in terms of the available supply, it's very robust.

We have in fact availed both sides of all the services offered by the Ministry of Labour: conciliation, mediation. There is a board of directors in place to oversee the negotiations. Our belief, I stress again, is that union and management should negotiate free and open collective agreements. We continue to believe in that. We believe that the services of the government have been put to good use to date. Unfortunately, the situation remains unresolved, but we do—

**The Speaker:** Supplementary?

**Mr. Hampton:** This is really encouraging. I ask the minister a question about transmission of electricity, and he talks about generation. This is not fooling anyone. People understand that it's the transmission system that is increasingly under stress, and the people who should be there operating the transmission system aren't there. Your government wants to try to pretend that you have no responsibility here.

Minister, you say there's no risk. Then can you tell me why Hydro One lawyers are in court saying that they need to clamp down on picket lines at the Barrie control centre because "the system is at risk"? Let me put it to the Premier, because ultimately the buck stops with him: How many risks are you prepared to take, Premier, with the hydroelectricity supply of the province?

**Hon. Mr. Duncan:** I don't want to speak about the matter before the court right now, but I want to stress, first of all, as I said to the question from the leader of the official opposition, that we believe there is a robust contingency plan in place that involves continuing access to Hydro One facilities. The member did indirectly reference generation in his first question. Generation is satisfactory, and I'm satisfied that the contingency plan will see to it that transmission remains in place throughout the duration.

These matters are difficult. We have had a number of opportunities, as I indicated earlier, through the Ministry of Labour to have appropriate mediation and conciliation with the two sides. I have faith in the free collective bargaining system, and I am optimistic that both sides will be able to resolve their differences.

Finally, I'm satisfied that the contingency plan is satisfactory under the circumstances.

**Mr. Hampton:** What a contrast between Liberals today and Liberals just a couple of years ago. I want to

quote one of their spokespersons: "The Minister of Energy is really the representative of the shareholder, the people of Ontario. We, the people, own Hydro One. We're the sole shareholder and our representative is [the minister]. He is responsible not only for that which happens to his direct knowledge, but he is responsible for everything that happens in Hydro One, ultimately."

Who said that? The now Attorney General of the McGuinty government. But suddenly, now that they're the government, they want to pretend that somebody else out there, somewhere off in never-never land, is responsible.

Look, you're fooling no one. You are taking huge risks with the electricity transmission system in Ontario. You're already seeing situations where electricity supply has been interrupted. When are you going to take your head out of the sand, call the parties together, take some responsibility and help them find an agreement that works for the people of Ontario?

1450

**Hon. Mr. Duncan:** I don't know where that member has had his head, but I can tell you the ministry conciliators and mediators have done that on a number of occasions.

Again, the Attorney General at the time was correct, and we are relying on the board. That is who is in place, the board that this Legislature agreed to. One of the members is Bob Rae.

I am optimistic, and I believe in free and open collective bargaining. I believe the two sides can resolve this issue. I'm optimistic that at the appropriate time, they will. In the interim, I'm satisfied that the contingency plan in place will maintain the service that Ontarians have come to expect from one of the most reliable systems in the world.

**The Speaker:** New question.

**Mr. Hampton:** Again to the Premier: What really has the energy professionals baffled here is your position in terms of who should get what. You handed your chief executive officer at Hydro One, Tom Parkinson, a 35% pay increase, plus you're going to subsidize his mortgage, but you want the people who actually work in the system, who make the transmission system work, to take an over 11% pay cut. Can you explain this logic on behalf of the McGuinty government: The CEO gets a 35% pay increase, but the engineers who actually do the work take an 11% pay cut?

**Hon. Mr. McGuinty:** The Minister of Energy.

**Hon. Mr. Duncan:** I'm not going to even attempt to respond to the inaccuracies contained in the question, but what I do know is what is on the record from the member. This is what the member had to say about those workers who are members of the bargaining unit who are in the \$100,000-plus club. He said, "These people aren't concerned with providing a service to the people of Ontario. They are concerned about their own salaries." We don't believe that. A number of the members of this bargaining unit have made it into that club—a number of



them because their salaries get them there and a number of them because they work considerable overtime.

I believe that the free collective bargaining system can resolve this. I'm optimistic that it will. In the interim, I believe there is a contingency plan that will continue to ensure Ontarians have a reliable supply of electricity as we move forward.

**Mr. Hampton:** It is appropriate that these workers show concern about their own salaries, particularly when the McGuinty government wants to hand the CEO a 35% pay increase and tell them, "We're going to cut you by 11%."

It's not just Mr. Parkinson's pay increase that I find interesting. You also pay for his golf club dues at Glen Abbey. This is how they advertise it: "Canada's no. 8 golf course. Receptive fairways. Devilishly undulating greens. Lavish meals at the spectacular Gallery Bistro and Grill." Cost to Ontario's hydro ratepayers: almost \$5,000 a year. While you cut the wages of these workers, how do you justify paying Tom Parkinson's greens fees?

**Hon. Mr. Duncan:** Again, unlike the member opposite, who is inconsistent in his views of these workers—as I said, on March 31 he spoke about them being concerned about their own salaries—we have been consistent. The board of directors oversees not only the hiring and salary levels of the CEO but indeed bargaining with the collective bargaining agents in place. We have confidence in that collective bargaining system. We believe in open and free collective bargaining.

I am optimistic that both sides will come to an agreement. I hope they will continue to work toward that. We have employed all the services available to us over the last few months to ensure that we try to bring the two parties together. In the interim, while this labour situation is present, I believe there is a robust contingency plan in place that will give Ontarians assurances that the reliability they've come to expect from Hydro One will continue to be in place.

**Mr. Hampton:** Once again, I just want to draw the contrast between what these people used to say a couple of years ago and what they're saying now. I want to quote Dalton McGuinty: "We, the people of Ontario, through you, are the sole shareholders in Hydro One. Why is it that you have been so weak, so incapable of bringing the Hydro One board to heel?" Here we have the Hydro One board handing the CEO a 35% pay increase to make him another million-dollar man, paying his greens fees at one of Canada's most illustrious golf courses, subsidizing his house mortgage, flying him around in a helicopter for pleasure, and yet you're cutting the wages of the people who actually keep the lights on.

I say to the Premier, what happened to your promise to exercise some control over what happens at Hydro One, or is that just another forgotten promise?

**Hon. Mr. Duncan:** In fact, we are exercising proper leadership by entrusting the board of directors of the corporation to manage the affairs of the corporation in a way that maximizes the benefit of the corporation to the people of Ontario through their government.

In addition to what the member said on March 31 with respect to these employees, we also shouldn't forget that, while he was the government, they laid off 10,000 employees at Hydro. Albeit that these are difficult decisions and difficult discussions, our hope is to preserve jobs and to create jobs, both at Hydro One and indeed at OPG in the future as we move forward.

I believe the board has put forward the policy of Hydro One with respect to this particular set of negotiations. As the Premier said, I am optimistic and remain optimistic that the two sides can resolve their differences. In the interim, I believe that the contingency plan in place should give Ontarians some comfort that the reliability of their hydroelectric system remains in place.

## HEALTH CARE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. Your health plan is in disarray. Yesterday the Toronto Sun reported that a senior health ministry official has said that you will be spending \$27 million to get rid of district health councils. As you know, it only costs \$18 million to operate them. Most of this money is going to pay severance to staff. This \$27 million could have been spent on 13 MRIs, 27 CT scanners, 540 nurses, or treatments for a year for 90 Fabry patients.

While you are spending \$27 million to eliminate DHCs, you've also spent \$91 million to fire nurses. At the same time, Ontarians have paid \$1.6 billion in your illegal health tax.

Minister, why are you asking Ontarians to use their hard-earned dollars to pay your illegal health tax so you can use it to close DHCs and fire nurses?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As always from that honourable member, you need five or six minutes to untangle fact from fiction, but I'll try.

On the issue of district health councils, I'm very pleased to confirm for the honourable member—not some unnamed source in a newspaper—that the costs with respect to the windup of district health councils will come in at a number in the teens, not anywhere close to the number the honourable member has predicted through an unnamed source.

With respect to the honourable member's suggestion that any dollars last year were paid to Ontario hospitals for the layoff of nurses, this is inaccurate. She's been corrected on that point before. There is not one nurse that I've been made aware of who has been given severance from any of the figures the honourable member speaks about. However, I would acknowledge that that honourable member, from the party that spent \$400 million on severance for nurses, does know a lot about severance.

**Mrs. Witmer:** Despite the rhetoric coming from the Minister of Health, he should talk to the OHA and they can tell him precisely how much money they asked for—*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order.

**Mrs. Witmer:** With all due respect, the Minister of Health should probably ask his staff how much money was spent providing severances to fire nurses. The nurses have put out their own press release, and he knows that the information is different than what he said.

However, your health plan is in disarray. You've now shut down the DHCs, and at the same time there is no health services planning in the province because your new LHINs are not up and running as you planned. According to the senior official from the ministry, "All of the ... planning has stopped. Nobody's doing planning in hospitals because they don't know what direction the LHINs will take.... One of the abject fears that folks in the ministry have is, 'Please don't let us have another SARS right now.'" Minister, why are you putting patient safety at risk, and can you tell us when your LHINs will be approved and operational?

1500

**Hon. Mr. Smitherman:** I'm happy to address any of the questions the honourable member speaks about, and I'd encourage her to raise them. But I'm not surprised that that honourable member, operating off the quote of some unnamed person who may be—who knows—a former Conservative staffer, would dare to raise the spectre of a lack of preparation for SARS. All I can say is, if the honourable member seriously thinks that's the case, or if that unnamed person honestly thinks that's the case, they should send a note with all the detail they have down to Justice Archie Campbell, because he's the one who is working hard on this issue and giving significant advice and direction to the government. Here's what he said on April 11: "The government accepted the recommendations and committed itself to implement them in an ambitious three-year program.... Improvements have so far been significant."

#### POLITICAL CONTRIBUTIONS

**Ms. Marilyn Churley (Toronto-Danforth):** My question is for the Premier. Contributions from golf-club-swinging energy company executives accounted for roughly 35% of all money donated to Energy Minister Dwight Duncan's riding association last year. An energy watchdog is quoted in today's Windsor Star as saying, "Dwight Duncan is just picking up where the Conservatives left off.... the smell of all this is quite bad."

Premier, before the election you said, "The Harris-Eves government gave money too much influence and citizens too little." Why are things as bad as ever?

**The Speaker (Hon. Alvin Curling):** Could you address members by riding rather than by name—

**Ms. Churley:** I was quoting.

**The Speaker:**—regardless of the quote.

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the Attorney General.

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** We introduced legislation, which I understand is being debated in the House today. If we

can get the New Democratic Party and the Progressive Conservative Party to agree, we can get this passed today. I think it's important for people to understand that this bill is the most ambitious, open and transparent effort to bring on real-time disclosure that has happened in the history of the Commonwealth and maybe the world. I say to the member opposite, just say yes. Let's agree to pass this now so that we can get real-time disclosure tomorrow.

**Ms. Churley:** Today's Windsor Star presents a long list of private power merchants and other corporate interests who bought access to your minister—Calpine, AIM PowerGen, Bruce Power—and they didn't even have space for some others, like former Enron lobbyist Aleck Dadson, Accenture lobbyist Barry Campbell, and the vice-president of the Detroit-Windsor tunnel, who sent his money in from south of the border. One of those donors is quoted as saying that buying access is simply part of politics. He says, "The reality is, you get to talk about issues that are bothering you as a company or bothering you as a person. That's democracy."

Premier, is this democracy in Dalton McGuinty's Ontario, and don't you think the minister should give the money back?

**Hon. Mr. Bryant:** Obviously, the Minister of Energy ensured that the fairness commissioner oversaw all energy RFPs, as one would expect to happen. I just say to the member opposite that the reason real-time disclosure is important is that it will mean that everybody will understand who is giving to whom in real time.

For example, Eleanor Clitheroe is well known to have given \$5,000 to the New Democratic Party—I don't know if she gave to our party or not. In 1994, when the NDP were in power, cabinet colleagues emphasized in their good-news announcements, the centrepiece of which was a Windsor visit, a provincial fundraising dinner.

Here's what Sid Ryan said. He said it was ironic that this dinner was being held for business people who were "begging" trade unionists to buy tables to support the NDP government. "That just highlights the betrayal" of the way in which the NDP talk and yet the amount of money which they raise. The point—

**The Speaker:** The point is that your time is up.

#### ADOPTION

**Ms. Monique M. Smith (Nipissing):** My question is for the Minister of Children and Youth Services. Minister, as Hillary Clinton wrote, "It takes a village to raise a child." You've been talking for some time now about the need to help Ontario's 9,000 crown wards find a permanent home. We all know how important a stable and loving permanent family is for the well-being of a child, but too many children and youths do not have this type of home to grow up in. I understand that, because of the legal and structural barriers, fewer than 10% of all children currently in the care of children's aid can be adopted. That kind of instability affects every child's life.



Minister, you've been talking for some time now about the need to help these children find a permanent home. Can you explain how the changes you have introduced today will help these children?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** There are approximately 9,000 crown wards in Ontario; 75% of them have access orders. The majority of those access orders are never accessed. We've introduced legislation today which would remove some of the obstacles for children's aid societies so that it's not so black and white—either you have a family or you don't—so that these children who right now are restricted because of access orders can have permanent families, and so that there's an agreement between the birth mother and the adoptive parents for some sort of contact or access, if agreed upon, so those children can have families. This is long overdue. Seventy-five per cent of 9,000 is 6,500, approximately. Those children cannot ever be adopted at present. We hope that, with the present legislation, we can give permanent families for these children. We all know that the best prognosis for a healthy future is a good, stable family.

**Ms. Smith:** Members of my family, some friends, and many constituents who have tried to adopt from a children's aid society have told me that it's a cumbersome and inconsistent process. In some cases they must file an application form and a complete home study for each children's aid society that they approach. This is a time-consuming and onerous process, and these barriers often discourage people from adopting in Ontario. With 9,000 children in the care of children's aid societies, we need to find some way to encourage and promote adoption in Ontario. Can you tell us what steps you are taking today that will make it easier for these prospective parents to adopt right here in Ontario?

**Hon. Mrs. Bountrogianni:** We are actually standardizing the application process for adoption so it is identical no matter where you are in Ontario. It will even be the same for private adoption, so prospective parents will not have to go through the screening every time they speak to a different agency. We're already working through the Adoption Council of Ontario and the Ontario Association of Children's Aid Societies to develop a province-wide Web site that will help societies to match children who are available for adoption and would-be parents. For those parents who need it, we're going to provide some post-adoption support so that families who adopt a child from a children's aid society aren't suddenly left on their own. I believe that by making adoption more flexible for children and friendlier for parents, the result will be more children in permanent, stable and loving homes.

#### GREENBELT COUNCIL

**Mr. Tim Hudak (Erie-Lincoln):** I have a question for the Minister of Agriculture and Food. Minister, Ron Bonnett, president of the OFA, wrote to Premier McGuinty on March 28 of this year and copied you with

respect to the greenbelt advisory council. In his letter he made the point that that council should "reflect proportional representation from the largest group of land holders in the greenbelt proper. For this reason, we are requesting a majority percentage of farmer representation on this committee." Do you agree with Mr. Bonnett's point?

**Hon. Steve Peters (Minister of Agriculture and Food):** Certainly, as we move forward with the greenbelt through the Ministry of Municipal Affairs and Housing, first and foremost, unlike the Tories who want to pave, we want to save land in this province. That's all they want to do.

I think that when one looks at the representation that is on this Greenbelt Council, it is very reflective of agriculture. We have a farmer who is there from the Durham region. We have a grape grower who is represented on the Greenbelt Council. We have representation from the University of Guelph, the foremost leaders in agriculture. We've listened, we wanted to make sure that there was an agricultural voice there, and I think we've very clearly demonstrated that agriculture is being heard.

1510

**Mr. Hudak:** With respect to the Minister of Agriculture, he has a choice: He can speak on behalf of farmers or he can speak on behalf of the Dalton McGuinty government. I guess he's made that decision, by the way he describes this greenbelt advisory committee. Certainly, the OFA put out a press release saying that they're frustrated with the committee makeup. They're not saying the same thing you're saying, Minister; in fact, quite the opposite.

I'll tell you why farmer representation is important. Since the greenbelt act was passed, we have seen a lack of progress—in fact, backward steps—for the agricultural community. There is no support plan for greenbelt farmers that has come forward. Thomas Kuegler, a grape farmer in Niagara-on-the-Lake, has said that the greenbelt act is preventing him from farming his 22-acre parcel that he wishes to farm. In Pickering and Durham, when it comes to the agricultural preserve, those communities are in full rebellion against the government. Clearly, a strong agricultural voice is necessary. Will you fight for a majority representation of farmers and support the call for subcommittees for Niagara and the Holland Marsh area, the two specialty crop areas, in my private member's bill, Bill 200?

**Hon. Mr. Peters:** It just amazes me, the richness of what comes out of this member's mouth. He talks about preserving agricultural land. What was one of the first things the Tories did? They cancelled the Niagara tender fruit land protection program. So how can he stand up here today and say that we need to be compensating there for farmers? There was a program in place, and the Tories cancelled it.

We have Howie Herrema, a full-time farmer from Uxbridge; Clay Switzer, former Deputy Minister of Agriculture and food in this province and dean of the Ontario Agricultural College; Mrs. Donna Lailey, a grape

grower in Niagara-on-the-Lake. I'm sure that everyone has a great deal of confidence in the expertise, the leadership, that Dr. Elgie is going to show with this initiative. Unlike the Tories, who want to pave, we want to save agricultural land.

### WEST NILE VIRUS

**Ms. Marilyn Churley (Toronto—Danforth):** I have a question to the Minister of Health. Minister, here's a letter to you, dated May 27, 2005, from Dr. Fiona Hunter, a medical entomologist specializing in West Nile virus at Brock University. She says, "The 2005 West Nile virus mosquito program has the potential to be a disaster because of a serious potential conflict of interest. The private companies hired to test mosquitoes for West Nile viruses are strongly linked to members of mosquito-killing pesticides. Some have been listed and linked to false positive results reported. Companies that stand to gain financially from selling pesticides shouldn't be doing the testing." I agree.

Minister, why are pesticide companies hired to do the testing for West Nile? Isn't this a conflict of interest?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I appreciate the question from the honourable member. I had a chance to see the media transcript from the story. This follows a practice that was in place last year. The ministry does not involve itself in organizing for these. This is done by public health units, which we fund to conduct this testing. Accordingly, they have the opportunity to contract with a variety of different suppliers of this service. In any instance where they might choose to contract with a supplier that doesn't meet the honourable member's test, I just want the honourable member to be aware that public health units, by the directives it's necessary for them to follow, must take conflict of interest into consideration. So I think there is adequate protection there for the public. We feel very secure with the choices that public health units are making in Ontario.

**Ms. Churley:** Your own Web site, HealthyOntario.com, cites Dr. Hunter as being on the front lines in the battle against West Nile virus in Ontario. But her letter says that she has been ignored by your ministry and by you. She has written to you eight times over the last two months and has had absolutely no response. She says that the privatization and conflicts of interest began under your watch last year.

Mosquito season is upon us. Some mosquitoes could be carrying the deadly West Nile virus again this year. Dr. Hunter wrote to you two months ago about privatization and conflicts of interest. You do have some say and control over this. You'd better have some say and control over this. It is a conflict of interest. Why have you ignored her concerns?

**Hon. Mr. Smitherman:** I don't think that's an accurate characterization. If the honourable member wishes to make that assertion, I suppose it's appropriate for her to do so; it's her choice. The reality is, as I said in my

earlier answer, this is a policy that's been in place since last year. It's a policy that is designed to have adequate protection around the idea of conflict of interest. No one has presented information with respect to the challenges associated with the way the program operated last year.

I'm very proud of the role that our public health units are playing in the front-line defences for the public around West Nile virus. We continue to support that with a very significant contribution of operating resource. As always in battles with respect to public health, we continue to rely upon those front-line health care providers, our public health units across the province of Ontario, and we invest in them a significant degree of confidence.

### GOVERNMENT SPENDING

**Ms. Caroline Di Cocco (Sarnia—Lambton):** My question is to the Minister of Finance. Our government's recent budget presented a balanced and responsible plan to return the province to fiscal health while making key investments in health and education. Eliminating the structural deficit is a responsible part of our strategy. In the three years before we took office, spending was increasing by 21% while tax revenues declined by 0.7%. We've reduced or flatlined spending to below the rate of inflation in 15 ministries.

I know the minister has been meeting with investors that buy and with the agencies that rate our bonds. Can the minister update the House about the status of our bond ratings?

**Hon. Greg Sorbara (Minister of Finance):** I appreciate the question. I should tell you that I feel, given the time of year, a little bit like the student at the end of the school year coming home with a pretty good report card.

In fact, the Dominion Bond Rating Service actually upgraded the trend of our—

*Applause.*

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** What did they say?

**Hon. Mr. Sorbara:** In their report, they referred to faster progress in restoring fiscal soundness than had been originally anticipated. They also pointed to increased confidence that the fiscal recovery plan can be successfully implemented by the province. We were very, very happy indeed.

**Ms. Di Cocco:** Outside agencies are affirming the prudent management of our government, but other financial institutions have also commented on our approach. The Bank of Montreal has said, "The economic and fiscal projections appear to be reasonably conservative, raising the possibility that the province will better its targets." The Royal Bank noted, "To its credit, the Ontario government is taking a careful and prudent approach to a balanced budget." The TD Bank said, "The general thrust of the budget is to be commended."

This is about good management, so I ask the minister, how does our record compare to that of the former government from 1990 to 2003?



**Mr. Rosario Marchese (Trinity-Spadina):** Great question.

**Hon. Mr. Sorbara:** My friend from Trinity-Spadina says, "Great question," and it is a great question.

I would just point out that we appreciate the comments of objective entities that have no particular axe to grind, but it just points out to us that we have a whole lot more work to do.

In response to my colleague's question on how we compare to the period 1990 to 2003, I don't think we can comment much on the NDP period in government. They weren't prepared to form government. It was a surprise to them. They weren't ready, and their sins should now be forgiven.

Let's deal with the Tories for a second, though, from 1995 to 2003. It's clear that the economic policies that dominated that era led to a \$48-billion increase in the public debt, shrinking revenues, and a deterioration of public services that is unprecedented in our history.

1520

#### PAROLE SYSTEM

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. Minister, I understand that you are putting the final touches on a plan that will have the National Parole Board take over the responsibilities of the Ontario Board of Parole. Why are you jeopardizing public safety for the sake of saving dollars?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** We have a responsibility, and it's interesting to note that when the Leader of the Opposition responded in the budget debate, he was critical that we hadn't looked at every single item in our ministries. We are looking at every single item in our ministries to see if in fact we can provide better service for the people of Ontario without in any way minimizing safety. That decision has not been made, but we are looking at everything in our ministry, because we have a very large program delivery ministry. Just so the member will know, the three largest expenditures made by program delivery are the teachers' pension plan and OPSEU's pension plan, correctional service and the OPP. Those are the three major program delivery parts of the government. I have an obligation, as the minister, to take a look at two of those three, to make sure that we are getting value for money and doing what is right for the people of Ontario.

**Mr. Dunlop:** Minister, I've been informed by staff within your ministry that about 50% of the offenders who go before the National Parole Board for hearings are released, whereas about 14% to 15% of offenders are released after the hearings at the provincial parole board. Clearly, they have been much more lenient at the federal level.

Minister, we have many examples of National Parole Board mistakes. We could ask the family of Christopher Stephenson, who was brutally murdered by Joseph

Fredericks, and ask the family of parole officer Louise Pargeter, who was brutally murdered by Eli Ulayuk just last fall; or how about Douglas Moore, who is the prime suspect in the deaths of René Charlebois and Robert Grewal? Minister, we have many other examples of errors and blunders by the National Parole Board. This is a very serious community safety issue.

Minister, how are you going to assure this House and the families of Ontario that your \$3-million savings won't end up in tragic blunders by the National Parole Board?

**Hon. Mr. Kwinter:** Again, the member is predicting that this is going to happen. That decision has not been made. But I think it's also important that you can't compare one with the other. The provincial correctional service houses those offenders who have been sentenced to two years less a day. There are no murderers in there; there are none of these people who are there. These are people who, on average, serve 54 days of their sentence, which means that very, very few of them even appear before parole boards. Most of them are on probation as opposed to parole. So to compare one with the other isn't reasonable and it isn't responsible.

I can tell you that nothing will be done in this ministry unless it protects the public safety and it makes sense from a taxpayer's point of view.

#### HIGHWAY 406

**Mr. Peter Kormos (Niagara Centre):** My question is for the Minister of Transportation. Minister, a horrible crash last Thursday on the two-lane portion of Highway 406 down in Niagara leaves one driver still in very serious condition in a Hamilton hospital. The stats show that the accidents and fatalities on the two-lane portion are twice what they are on the four-lane portion. Do you agree that the four-laning of the 10.8-kilometre section of 406 is essential to make it safer, among other things?

**Hon. Harinder S. Takhar (Minister of Transportation):** I had the chance to meet the chair of the region of Niagara and also other representatives from that region. We feel that Highway 406 is an important corridor in that region and that we need to move ahead in order to protect the economic viability of that region, and we feel some improvements are needed on that highway.

**Mr. Kormos:** Minister, if you met with Chairman Partington, you also know that folks down in Niagara region who agree with the goal of preserving scarce and valuable agricultural land believe that the four-laning and extension of 406 is critical to move development up on to what we call the clay belt and away from tender fruit land and prime agricultural land. Do you agree that the extension and four-laning of Highway 406 is an important and effective tool in your greenbelt policy?

**Hon. Mr. Takhar:** I already indicated that Highway 406 is an important corridor in the region of Niagara. We feel it's important for us to protect the economic viability of that region, and we need to do something with the 406. We have already done the design work on that region,

and we hope to make some announcements in the very near future.

### WORKPLACE SAFETY

**Mr. Peter Fonseca (Mississauga East):** My question is for the Minister of Labour. Graduations and the summer job season are approaching. Young workers will be starting their summer jobs, and recent graduates will be entering the workforce.

Statistics show that workers are six times more likely to be injured during their first month on the job than at any other time in their work lives. More than 49,000 young workers were injured, and some even killed, on the job last year.

There can be no doubt that this government has taken significant steps to improve the health and safety of Ontario's workers. We've hired 100 new health and safety inspectors, and we're going to be hiring 100 more.

Given the special situation of young workers and this government's clear emphasis on workers' health and safety, can you please tell me if there are initiatives that focus specifically on the health and safety of young workers?

**Hon. Christopher Bentley (Minister of Labour):** I'd like to thank the member from Mississauga East for the question about young workers' health and safety. He has been a tireless advocate for safety and a tireless advocate for prevention activities in general in his many roles before the House.

He correctly outlines the challenge: Although a lot of good work has been done, 49,000 young people are still injured in workplace incidents every year. That is a horrible statistic.

This morning, I had the good fortune to be in the riding of Kitchener Centre with my colleague from Kitchener Centre, Mr. Milloy.

**Mr. John R. Baird (Nepean-Carleton):** Name him.

**Hon. Mr. Bentley:** I just did.

We were announcing a new initiative to enforce health and safety rules. In particular, we were announcing an initiative that I'll talk about further in the supplementary.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Let's get some order on the other side.

**Mr. Fonseca:** Maybe the opposition doesn't care about young workers, but I do, and I know the hard-working minister does too.

Minister, I'm glad to see the focus on enforcing the health and safety of young workers. As you have indicated, on-the-job training and supervision, with a focus on health and safety, are crucial. I'm wondering if there's also an opportunity to learn about health and safety even before young people leave the classroom and start their careers, volunteer work, co-op placements or summer jobs. Can you tell us about the initiatives to educate students about the importance of health and safety before they leave school?

**Hon. Mr. Bentley:** When I was in Kitchener Centre with Mr. Milloy this morning talking about young workers' health and safety, we talked about two things: first of all, the extra information available to young workers—for example, through the Live Safe! Work Smart! program. It was started a few years ago. It's a program in all high school curricula in the province. Recently, we announced an improvement to that program—namely, the Live Safe! Work Smart! Special Needs Resource—which provides additional health and safety information to workers with special challenges or workers who actually learn in a different way.

At the same time, at the member's insistence, we also addressed an additional means of getting businesses to understand their responsibilities. We have enhanced enforcement. We've got five tips:

—Is your workplace ready for the workers?

—Are the workers ready?

—Is there an orientation program?

—Is there a training program?

—Are there tips for supervisors?

It was a great morning.

### ELECTRICITY SUPPLY

**Mr. John O'Toole (Durham):** My question is to the Minister of Energy. As you probably know, we're entering the critical period of summer demand for energy. You should be aware that today's projected peak is in the order of 23,000-plus megawatts. At 11 o'clock we were already at 21,500 megawatts.

The issue is that this is at over 10 cents per kilowatt hour. Your reckless plan to close the five coal plants and eliminate as much as 25% of generating capacity will have a terrifying impact on the bottom line. The president of the Sarnia-Lambton Chamber of Commerce, Garry McDonald, has stated that the business community is concerned that electricity will drastically rise in price if coal is abandoned by 2007. Minister, can you be honest about Sarnia-Lambton, Nanticoke and the coal plants in Ontario? Is it your plan to go ahead with the closure of those plants without sufficient replacement power on-line?

1530

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** Only the Tories would advocate keeping coal-fired plants open on a smog day in Ontario. My goodness.

But to address his question specifically, he referenced the high peak point price today. He probably doesn't understand how it works. The fact is that prices are down almost 19% since we took office.

The other point is that, unlike his government, this government is moving to bring on an abundance of new, clean, run-of-the-river hydroelectric opportunities not only in northern Ontario, but indeed importing electricity from northern Manitoba. In fact, we're bidding on the Lower Churchill opportunity in Newfoundland.



I urge restraint. I urge that people understand the true cost associated with coal-powered generation: more than \$4.4 billion to our health care system, to children's health. Let me be unequivocal and say without hesitation that, unlike the member opposite, this government has laid out a plan for closing down all of the coal-fired generation stations in this province. We believe it's prudent, we believe it's in the public interest, and we believe it's a cost-saving measure that will save this province tens and hundreds of millions of dollars over time.

## PETITIONS

### LEGAL DRINKING AGE

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** This is a petition to the Legislative Assembly of Ontario from the Wilfrid Laurier University students' union.

"To the Legislative Assembly of Ontario:

"Whereas most Ontario students now begin post-secondary education at 18;

"Whereas the age of majority in Ontario is 18;

"Whereas an increased drinking age leads to more underground drinking;

"Whereas an increased drinking age leads to an increase in illegal drug consumption;

"We, the undersigned, petition the Legislative Assembly of Ontario to lower the legal drinking age to 18."

### HIGHWAY 406

**Mr. Peter Kormos (Niagara Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the province's greenbelt legislation and Places to Grow plan have significantly restricted how Niagara can grow and develop; and

"Whereas the development-ready land in Niagara's southern tier lacks adequate transportation infrastructure to facilitate economic development; and

"Whereas the 406 highway from Beaverdams Road in Thorold to East Main Street in Welland is one of the busiest two-lane highways in Ontario, with 27,000 cars daily; and

"Whereas the accident and fatality rate double on the two-lane stretch of the 406 highway in comparison to the four-lane segment of the 406 highway; and

"Whereas the expansion of the 406 highway will attract much-needed new investment and job opportunities for Niagara; and

"Whereas the government of Ontario will receive compensation in 2005 from the federal government in the form of a percentage of the gas tax to be applied towards transportation and infrastructure projects;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Premier of Ontario together with the Minister of Transportation fulfill their existing commit-

ment and place the expansion of the 406 highway in the capital plan for infrastructure projects in Ontario in 2005."

### CREDIT VALLEY HOSPITAL

**Mr. Jeff Leal (Peterborough):** I have a petition to the Ontario Legislative Assembly today regarding the Credit Valley Hospital capital improvements program. I'm doing this on behalf of a friend, Elva Waldron, who lives at Idlewilde Crescent in Mississauga. I always like to try to help those people out.

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I will affix my signature to this petition and give it to Devon to deliver to the table.

### SCHOOL FACILITIES

**Mr. John O'Toole (Durham):** It's my pleasure to present a petition on behalf of Dani Robins, Alan Robins and Logan Robins from my constituency, along with other people.

"Whereas the Ontario Street Public School community in Clarington wishes to alert the Minister of Education to a damaging situation with respect to overcrowding and underfunding at this French immersion school" in Bowmanville; and

"Whereas Ontario Street Public School is being penalized because it is located in the fast-growing urban centre of Clarington but is part of a larger ... board that

includes rural communities with declining enrolments and less access to provincial funding; and

"Whereas despite its exceptional track record, Ontario Street Public School's French immersion program is being reduced from a K-8 to a K-6 program, with a cap on K-6 enrolment and grade 7 and 8 students being temporarily housed off-site for a third consecutive year; and

"Whereas our single greatest need is in adequate housing of a program that has seen superior academic achievement and a unique community culture building on strong values of success; and

"Whereas the entire Ontario Street school community is committed to working with the Minister of Education and all parties to explore a fair, practical and effective solution;

"Therefore we, the undersigned parents, students and friends of Ontario Street Public School respectfully petition the Legislative Assembly of Ontario as follows:

"To grant special consideration for a review of funding options that will protect and develop the existing K-8 French immersion single-track program at Ontario Street Public School in Bowmanville.

"To undertake the necessary actions immediately, in the context of the current budget, to resolve the urgent accommodation needs of Ontario Street Public School in the shortest time possible."

I'm pleased to endorse this petition and give this to Alecia to bring to the table on my behalf.

#### FALLSVIEW CASINO

**Mr. Kim Craiton (Niagara Falls):** I'm pleased to submit this petition. It's signed by a large number of people from my riding, including Sheila Hosking, Carol Maiden and Pat Mangoff. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Falls Management Group made numerous commitments to the city of Niagara Falls when it was awarded the Fallsview Casino contract by the government of the day in 1998,

"We, the undersigned, petition the Legislative Assembly as follows:

"Niagara Falls residents are still waiting for the on-site amenities and the off-site attractors. We believe that the government of Ontario should ensure that all promises made at the time of the awarding of the contract be fulfilled."

I'm pleased to present this, and I have affixed my signature in support of this petition.

#### CHIROPRACTIC SERVICES

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition signed by many folks in Niagara, including Nelson Gaidola from Grimsby and Sammy Halls on Fly Road. It reads as follows;

"To: Legislative Assembly of Ontario

"Re: Support for chiropractic services in Ontario health insurance plan:

"Whereas,

"Elimination of OHIP coverage will mean that many of the 1.2 million patients who use chiropractic will no longer be able to access the health care they need;

"Those with reduced ability to pay—including seniors, low-income families and the working poor—will be forced to seek care in already overburdened family physician offices and emergency departments;

"Elimination of OHIP coverage is expected to save \$93 million in expenditures on chiropractic treatment, at a cost to government of over \$200 million in other health care costs; and

"There was no consultation with the public on the decision to delist chiropractic services;

"We, the undersigned, petition the Legislative Assembly of Ontario to reverse the decision announced in the May 18, 2004, provincial budget and maintain OHIP coverage for chiropractic services, in the best interests of the public, patients, the health care system, government and the province."

In support, I affix my signature.

1540

#### SENIORS' TRANSIT PASS

**Mr. Tony Ruprecht (Davenport):** This petition regards free TTC passes for senior citizens and it reads as follows:

"To the Parliament of Ontario and" especially "minister responsible for seniors:

"Whereas most seniors live on fixed incomes which are eroding every year due to inflation costs and other necessary expenses;

"Whereas most seniors have their freedom severely restricted when unable to go about their daily business, which includes public transit;

"Whereas most seniors should be encouraged to live active, healthy lives—visiting friends, relatives, going shopping etc.;

"Whereas other jurisdictions already provide free local transit passes to seniors, namely, many cities in the USA;

"Therefore we, the undersigned, strongly urge the Minister of Municipal Affairs and Housing and responsible for seniors to ensure that seniors be granted a free TTC pass, and/or introduce legislation that will force the local Toronto Transit Commission to issue free TTC passes."

Since I agree with this petition 100%, I will therefore sign it.

#### JUSTICE SYSTEM

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** "In-Depth Investigation of the Judicial System

"To the Legislative Assembly of Ontario:

"Whereas the Honourable Michael Bryant is minister responsible for democratic renewal;



"Whereas the Honourable Michael Bryant, Attorney General of Ontario, is elected to safeguard our justice system on behalf of the people of Ontario;

"Whereas the ministry of our Attorney General may not be aware of the serious and important issues facing individuals involved in areas of the justice system, even though the Attorney General's ministry is continually monitoring,

"Therefore we, the undersigned, ask the Honourable Michael Bryant, Attorney General, for his in-depth investigation of the Ontario judicial system and make the public aware of his findings immediately."

Signed by Albert Werry from Inniskillin.

### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here signed by a number of people in Mississauga, including Ines Wiehr of Battleford Road in Meadowvale and Rena Turpin of Buttonbush Crescent in Erin Mills. It reads as follows:

"To the Ontario Legislative Assembly:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I'm pleased to sign this petition, to support it and to ask Benjamin to carry it for me.

### TUITION

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** A petition to the Legislative Assembly of Ontario from the Ontario Undergraduate Student Alliance:

"Whereas tuition fees in Ontario are already the second-highest in the country;

"Whereas all willing and qualified students in Ontario must be guaranteed equitable access to university;

"Whereas the provincial government has a clear responsibility to provide appropriate public funding to universities as an investment in the social and economic viability of Ontario;

"Whereas the provincial government, not any individual post-secondary institution, has a social responsibility to ensure affordability by controlling costs;

"Whereas the costs of post-secondary education must be predictable to ensure that students are able to save for and afford to go to university; and

"Whereas the deregulation of tuition fees hurts Ontario students;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure the accessibility and affordability of higher education for all students by regulating all tuition fees in Ontario."

### GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** This petition is addressed to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation, and I know you're interested in finding this petition of use:

"Whereas GO Transit is presently planning to tunnel in an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing; and

"Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair-Old Weston Road bridge; and

"Whereas this bridge ... will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane of traffic; (2) it is not safe for pedestrians (it's about 50 metres long). It's dark and slopes on both east and west sides creating high banks for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Again, I'm delighted to sign this petition.

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Garfield Dunlop (Simcoe North):** It's a petition to put a tunnel under Simcoe county.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm pleased to sign my name to this petition.

## ORDERS OF THE DAY

### PLACES TO GROW ACT, 2005

#### LOI DE 2005 SUR

### LES ZONES DE CROISSANCE

Mr. Caplan moved third reading of the following bill:

Bill 136, An Act respecting the establishment of growth plan areas and growth plans / Projet de loi 136, Loi sur l'établissement de zones de croissance planifiée et de plans de croissance.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Caplan.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I'm indeed very pleased to speak in support of Bill 136, the proposed Places to Grow Act, having now been called for third reading debate. This legislation would allow us, for the first time in Ontario's history, to make rational, balanced decisions about the way we grow in the future, decisions that would strengthen our economy, decisions that would support strong communities, decisions that promote a healthy and sustainable environment.

Speaker, as you and of course all members, are aware, the proposed Places to Grow Act is enabling legislation. If it does receive the approval of this Legislature, it would allow the government to designate specific geographic areas of Ontario as growth plan areas. Within those areas, we would work with local communities, with all of our stakeholders, to develop appropriate growth

plans. Those plans would then be used to focus and guide the region's future development.

I must tell you that Ontario municipalities and our associated stakeholders right across the region and the province have been calling for provincial leadership and growth planning for a long time. In fact, many communities have already undertaken their own growth planning and growth management initiatives. While other governments were not prepared or able to respond to the call, the McGuinty government is determined to make Ontario a leader in this area.

#### 1550

Ontario is expected to dramatically grow over the course of the next 25 years. Between now and 2031, our population is projected to increase by more than four million people. Whether that's through natural migratory patterns or birth rates, most of those new people will reside in this area that we call the greater Golden Horseshoe. This part of the province is already experiencing some incredibly significant growth pressures, and we see the results of some of that. Certainly we see large urban communities and jobs created, but we also see gridlock, urban sprawl and declining air quality. To help reduce some of those pressures and to maximize the potential benefits of growth, we need to begin planning more effectively for the growth that will be taking place over the course of the next several decades.

I know that all members would be interested, because we need to stimulate even more growth in northern, eastern and southwestern Ontario. Clearly we need a more flexible and sustainable approach to managing growth that can indeed help us better meet our challenges in every part of the province in order that we have vibrant, revitalized cities and towns.

Back to the greater Golden Horseshoe: We're taking a number of measures to manage growth. We've put in place—carried forward through this Legislature by my colleague Mr. John Gerretsen, the Minister of Municipal Affairs—an historic greenbelt plan that protects some 1.8 million acres of valuable farmland and green space right around the greater Golden Horseshoe from urban encroachment. With this plan, we are making it clear where we do not want urban growth to take place. The corollary is Bill 136, the Places to Grow Act, where we would be able to make it equally clear where and how we do want future growth to occur in this area of the province.

The proposed Places to Grow Act is a key piece of our strategy for managing future growth. The growth planning process proposed under this act would encourage broader, more comprehensive planning that links land use planning decisions to future infrastructure needs, and that, of course, is the key to the whole thing. It would give us a new mechanism to deal effectively with those broader planning issues that often transcend both the boundaries and the interests of municipalities. Above all, the proposed Places to Grow Act would ensure that our choices about the future are guided by a long-term vision of the kind of strong, healthy communities that Ontarians have told us they want to see.



I've said before, and I'll say again, that this is ground-breaking legislation. Nothing like this has been attempted in Ontario before. It is a radical departure from past practice. We have received widespread praise from key municipal and environmental stakeholders as well as from leading members of Ontario's business community. I want to take the opportunity to share some of those remarks and some of that praise with members of the assembly today.

Toronto Mayor David Miller wrote to us, on behalf of the council of the city of Toronto, "to reiterate Toronto's support for the development of a growth plan for the greater Golden Horseshoe ... and in particular, to express our support for the introduction of its enabling legislation, Bill 136."

We heard from Conservation Ontario, the organization that represents Ontario's 36 conservation authorities, who told us, "We are pleased to see such a progressive piece of legislation enabling the province to plan in a balanced manner." The proposed act was also praised by the Preservation of Agricultural Lands Society, or PALS, who wrote, "Bill 136 will represent a major milestone toward strong land use planning in Ontario."

Members of this assembly are aware that I released a draft growth plan for the greater Golden Horseshoe earlier this year. This would be the first area for which a growth plan would be developed under the proposed new act. The draft plan is ambitious and outlines three broad strategies. But before I get to those, I want to acknowledge here and now, as I have previously, that this growth plan was not a creation simply of the Ministry of Public Infrastructure Renewal or even a creation of the McGuinty government. Many hands have gone into it, including the former government with the leadership of former minister Chris Hodgson and the government previous to that, through some of the work done by Anne Golden; work done by foundations such as Neptis; work done by academics; and work done way back by the Toronto centre region and previous governments in helping to shape some of the ideas and concepts that are a part of this plan. This draft plan, of which I am so proud, has been the creation of so many different individuals, both within this Legislature and without. It encourages better use of our urban areas by encouraging growth to go where it can best be accommodated, keeping it away from lands that provide our food, our water and our recreation.

Second, the draft plan promotes a broader range of housing choices and employment opportunities. In fact, we also talk about the third element: It supports the maximization of infrastructure investments that support the growth plan, to provide better public transit, faster movement of goods, and clean, safe drinking water. In the greater Golden Horseshoe, this new approach will create more compact and complete communities, a different urban form, the kind of places that offer people more opportunities for work, shopping and recreation, and better access to the services that they demand close to where they live.

Perhaps just as importantly, this approach offers tremendous new economic advantages and business opportunities for Ontario. There are numerous studies that demonstrate that the kind of low-density urban development that leads to urban sprawl increases the costs of our infrastructure and thus reduces the effectiveness of our capital spending. Sprawling development forces workers to commute longer distances on our already clogged highways, which creates tremendous stress and leads to lower productivity. As well, the extra time that delivery trucks spend stuck in gridlock represents an added cost to business and thus an added cost to us all, because we are all consumers. This acts as a drag on our economy.

According to the Toronto Board of Trade, gridlock in the greater Toronto area represents a \$2-billion annual loss to the local economy. The Ontario Chamber of Commerce says that delays at our borders are costing the provincial economy some \$5 billion per year. According to the Urban Land Institute in the United States, low-density housing costs far more to service—of course, that makes intuitive sense—which means that residents in more densely populated communities end up subsidizing the additional miles of pipes and highways that would be required to support these new communities.

Poorly managed growth and urban sprawl also come at a high cost to our public health system. This year alone we have received studies from the Heart and Stroke Foundation and from the Ontario College of Family Physicians that clearly demonstrate the health advantages of compact communities. These studies tell us that people living in car-dependent communities miss out on natural opportunities for physical activity. Moreover, they are prone to health problems, such as obesity and heart disease. Our children, in particular, are at much greater risk.

We need to promote the benefits of creating more exciting, more diverse and more compact communities. For those reasons alone it's well worth doing, but taxpayers can also save money through better growth planning by redirecting money from infrastructure that supports and indeed encourages urban sprawl, toward spending on priority areas that Ontarians have told us about, that Finance Minister Sorbara outlined in the recent budget, such as hospitals, schools and colleges and universities.

To remain competitive, Ontario always has to keep an eye on the major trends south of the border and abroad. Our major competitors, the large urban zones in the United States, are way ahead of us in recognizing that growth planning creates attractive and dynamic communities that people want and will flock to.

The proposed Places to Grow Act is designed to help us achieve these goals. Based on the support that we've received from stakeholders, the design of the legislation is sound. This bill, Bill 136, was praised by the Ontario Chamber of Commerce, which commended the government on its plan to develop a comprehensive strategy to accommodate growth in the greater Golden Horseshoe area.

1600

We've also received strong support from the Greater Toronto Homebuilders' Association, who wrote to us to tell us, "We applaud the fact that the Ministry of Public Infrastructure Renewal has taken this initiative, and are committed to its success."

Last week, I had the honour to release Ontario's new five-year infrastructure investment plan, a plan that calls for more than \$30 billion in infrastructure investments by the province and its partners. This includes at least \$7.5 billion that's earmarked for the greater Golden Horseshoe, and that does not include elementary and secondary education.

But we will not succeed simply by throwing money at our major challenges; we need to plan our future. We need to plan our future growth better, and we need to spend the public's money more intelligently, to make sure that we are building the right facilities in the right places and, most importantly, at the right time.

When we invest in infrastructure, we are investing in our communities. We need to ensure that those investments are helping us to build the kind of society that Ontarians have said they want. The government's community infrastructure investments are important instruments of social change, because by building stronger communities we're able to achieve the social goals that the people of Ontario support.

Over the next few years, communities right across the province will continue to make thousands of individual decisions about land use and development and about economic development activity. Those decisions are permanent. Once the land is paved over, once the houses are built, there's no going back, and our children and our grandchildren will have to live with the consequences.

To that end, if the proposed Places to Grow Act becomes law, it will enable us to develop growth plans that represent our last—indeed, maybe even our best—chance to transform Ontario into an even better place to grow, a place that offers better choices, a place that offers a brighter future for us all. These are worthy goals. They're worthy of this Legislature and of our collective work. I'm confident that Bill 136, the Places to Grow Act, will enable us to achieve them.

**The Deputy Speaker:** Questions and comments.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to rise this afternoon and to make a few comments on the leadoff hour speech by the government. I guess it was 15 minutes today. Again, it's a bill that they're bragging about, but they can only speak for 15 minutes on a bill that is apparently so important to the citizens of the province of Ontario. I find that a little disappointing that, day after day in this House, we're here to debate second and third reading, and the government refuses to debate the legislation. They just want you to rubber-stamp everything and put it through, and hopefully it will work out well. That's what they're asking the opposition members to do.

The bottom line is that we in this House are meant to debate this legislation. I thought when standing orders called for a one-hour leadoff, the least we could do is for

the government that's putting forth such an important piece of legislation to debate it for more than 15 minutes; maybe 30 minutes, 35 minutes at least.

**Mr. Lou Rinaldi (Northumberland):** Oh, come on.

**Mr. Dunlop:** I heard somebody over there saying, "Oh, come on." You come on. The bottom line is that you've got a one-hour leadoff and—

**The Deputy Speaker:** The member for Simcoe North, I feel left out a little bit. Direct your comments through the Chair, please.

**Mr. Dunlop:** I'm sorry, but, Mr. Speaker, if you don't mind, I think it is quite important. It's a one-hour leadoff on Bill 136, and the government spends 15 minutes on it. The other night on the smoking legislation, they spoke for seven minutes. I find that kind of pathetic.

I'm going to have an opportunity later on to speak on this particular piece of legislation, and a lot of our members want to speak to this bill. I know the government wants out of here badly. There's a hot spell coming up, and the minister is feeling a lot of pressure with the strike going on and all that sort of thing—not this minister; the Minister of Energy. But I can tell you, Mr. Speaker, that we're prepared to do a lot of debating in this House on all of these particular pieces of legislation that are before the House, and particularly on Bill 136.

**Mr. Michael Prue (Beaches-East York):** I listened intently to what the minister had to say—or perhaps did not have to say—in that 15 minutes. But I will tell you that he did have a couple of things right, and that is the whole talk about urban sprawl and the problems associated with urban sprawl. The problem I have is with the solution. But actually, for talking about the problem, he has it right. There is a huge problem in terms of urban sprawl and what is happening to our lands. You can see it in many municipalities: Toronto—Brantford, perhaps, is one of the better examples that I've seen, where lands that were once quite productive in terms of housing, factory use or commercial or industrial are now referred to as greyfields or brownfields and in fact can't be used any more or are not being used. The whole problem that has developed in southern Ontario is that we are intent upon taking farmlands, greenfields, nice, clean spaces, and turning them into the new sprawl, rather than taking the initiative of cleaning up some of the mistakes of the past, and that needs to be addressed. I only wish this bill had done it more.

He's talking about the use of existing infrastructure. In fact, the existing infrastructure in many places will accommodate great infill, and it's not being used. I'm going to give some examples in my speech of towns around Toronto, towns that are outside of this magic new area, that are now getting into big pipes. They're now getting into sewer systems and water systems to accommodate towns of 100,000 people. They're building well in advance. I wish the minister had talked about that. He talked about the need for transit and transportation, and of course that is central if you're going to stop sprawl.

I only wish there were a little more contained in the bill. I will be talking more about that in the leadoff to come later today.



**Mr. John Milloy (Kitchener Centre):** I'd like to begin by congratulating the minister on Bill 136. I have a bit of a personal connection with this bill because last July the minister came in the middle of the holiday season to my community to hold a public town hall on the discussion paper which eventually became this bill. You'd be surprised that on a beautiful July evening, when most people's thoughts should be on barbecues or their cottage by the lake, hundreds of people showed up for a public meeting. They showed up with excitement and enthusiasm because, as so many of the other speakers have pointed out, urban sprawl has become a real concern for ordinary Ontarians who wonder: Where are the limits to the growth of our cities, and where is the planning?

We no longer live in the sort of political world where we know that there's a paved road up near our cottage because 50 years ago the Premier of the day happened to live nearby, or that a certain bridge isn't in repair because an area always brought in an opposition leader. Those days are past. Ontarians realize that planning is no longer a political issue; it's an issue of survival for our province. They came out that night to say, "We need a plan which recognizes where the greenbelt should be, we need a plan which recognizes the limits of urban development, and we need a plan which interconnects them."

I want to congratulate the minister not only on 136 but on the work that he's been doing in terms of giving municipalities other tools for planning, the work that he's been doing in consultation and co-operation with the Minister of Municipal Affairs and Housing and the Minister of Transportation.

At the same time, a link to all of this is the infrastructure plan, which has already started to roll out \$30 billion over the next five years to start to give the type of infrastructure that's needed to have development that makes sense and development that the people certainly of my riding and, I think, the people of Ontario, are looking for.

**The Deputy Speaker:** Questions and comments?

Minister, you have two minutes to reply.

**Hon. Mr. Caplan:** I want to thank the members from Simcoe North, Beaches–East York and Kitchener Centre.

I'll start with the member from Kitchener Centre. Indeed, 300 people on a very nice July evening—including the member from Kitchener–Waterloo, by the way—attended that meeting and had a very full dialogue about the need to get on with it after a 30-year absence, and we quite agree. There is some urgency to this. We are losing our valuable green spaces. Our air quality is declining at a terrible rate. We have not seen the level of investment. It's important that we get on with the job.

I want to thank the member and I also want to indicate that the Waterloo region, in fact, is way ahead of the province of Ontario, as are other municipalities. One of our colleagues in eastern Ontario might want to indicate that Ottawa has one of the strongest growth management plans anywhere to be found in this province. My colleague beside me here from Brantford reminds me that

the city of Brantford is well ahead of most municipalities in Canada as far as brownfields redevelopment. It's time that the province got into the game.

**1610**

To the member from Beaches–East York, I can't wait to hear your comments. I say, thank you very much.

A \$1-billion TTC investment, a \$1-billion GO investment, supporting light rail transit expansion in Waterloo region and much, much more: I couldn't do justice to all those investments in a very short time. That's why I spend a lot of time outside this chamber in the communities around Ontario, and not only talking about these issues.

To the member from Simcoe North, I can't wait to hear his comments and the comments of his colleagues. We've invited comments in committee hearings, which we had extensively in our town halls and public hearings. In fact, I was in Barrie, very close to the member's community, to talk about Places to Grow, and I can't wait to hear his contribution.

I want to thank all members for their support in advance.

**The Deputy Speaker:** Further debate.

**Mr. John Yakubski (Renfrew–Nipissing–Pembroke):**

First of all, because our critic is unavailable because of other legislative commitments, I seek unanimous consent to defer the leadoff until the next time the bill is debated.

**The Deputy Speaker:** The member has asked for unanimous consent to step down the leadoff of the official opposition. Agreed? Agreed.

The member for Renfrew–Nipissing–Pembroke, you're going to speak now?

**Mr. Yakubski:** Yes. I'm pleased to join the debate today on Bill 136, Places to Grow. I appreciate the minister's short address. As my colleague from Simcoe North has said, they've been getting shorter on the part of this government as they reach the summer recess time. They're hoping to get out and avoid some of the controversy that might cloud the Legislature should some of these potential pitfalls entrap them with regard to the Hydro One situation and the engineers, whether there are significant problems caused because of the government's failure to deal with that situation properly. And, of course, they don't want to be around here if there are some problems with OPSEU and we have a province-wide strike. They certainly don't want to be here dealing with it. They would like to be hiding behind some oak tree somewhere, maybe up in my riding. Please come on up and visit; it's a great place. But certainly they don't want to be here in the Legislature dealing with the controversy that might surround them should those kinds of things happen.

Anyway, Bill 136, Places to Grow, is part and parcel of the government's Bill 135, the greenbelt legislation; and Bill 26. While I think everybody agrees that the previous government had done the lion's share of the work in bringing forth—

**Mr. Rinaldi:** But never finished.

**Mr. Yakabuski:** Well, elections happen, Lou, and sometimes you don't get to finish the job because the people choose otherwise.

Smart Growth was the initiative of the previous government, and it was progressing well. This builds on some of the best things from it but it leaves an awful lot of things out. Some of the problems that I have with it are the concerns that we have in rural Ontario. We know that the government is going to proceed here in the cities with intensification. You might as well put all of their plans in one word; you just say "intensification." They're just going to build up, because they don't believe they have any options if they're going to protect all of this land.

In the greenbelt legislation alone, the land protection is kind of strange in a way. As one gentleman from my riding—a farmer, Mike Donohue—remarked to me, what the greenbelt ostensibly does is protect the habitat by guaranteeing the extinction of the species. That's what he's saying with regard to agriculture in the province of Ontario, particularly the land, the protected area, under the greenbelt legislation. What this government has done is, in perpetuity, determined that that piece of land, productive or not, economically viable or not, will remain a farm or nothing else. We have farmers who are saying that under the present framework in Ontario, with the lack of support for farmers in the province by this government and this Minister of Agriculture, they can't afford to continue to operate as farmers because this government doesn't support them properly. But they're not allowed to sell their land for development or anything other than agriculture.

If you can't make a living on the farm, you sure as hell ain't going to be able to sell it to another farmer.

**Mr. Mike Colle (Eglinton—Lawrence):** That's not good language.

**Mr. Yakabuski:** I don't think there's anything wrong with that, member from Eglinton—Lawrence.

**Mr. Colle:** You meant "down under."

**Mr. Yakabuski:** I've been there and back and I like it here better—for now.

If they can't make a living on the farm, there's no buyer there. You're saying to these farmers, "We're going to make sure that you remain poor, because we're not going to support you"—this government is not going to support farmers—"but we're not going to allow you to sell that land so that maybe you and your family can have a comfortable retirement." That's one of the problems I have and that's one of the issues that we have in rural Ontario.

Another thing we've got in rural Ontario is, the government just continues to want to dictate more and more what you're going to do with your land. I could understand that in a riding like Davenport or Trinity-Spadina or Beaches—East York or a lot of these ridings here in Toronto. Davenport, as far as I know, is the smallest riding in the province, which is about 12 square kilometres or so. My riding isn't a northern riding. Some of those northern ridings, like that of the leader of the NDP, Kenora—Rainy River—it's over 330,000 square kilometres.

**Mr. Prue:** It's bigger than France.

**Mr. Yakabuski:** It's bigger than most countries, but at the same time, much of that is desolate and nobody lives there. But in my riding, which is over 12,000 square kilometres, every area is eminently inhabitable and worthwhile for development, so the municipalities and the people in that rural riding can prosper similarly to people who live in Toronto, where the average income is over \$40,000. The average income in my riding is around \$20,000, so they make about half the income that people in Toronto make. One thing that would help them would be if they could get some more development in the area so that those incomes would go up, because more people mean more demand for goods and services and more infrastructure would be needed to be built. All of these things build the economy and, as a result, the standard of living of the people would go up as well.

In the region of Whitewater right now, which is one of the municipalities in my riding, what I hear from members of the council is that basically there is not a lot on the lakes there that they can sell or build a home on because of things that this government has done—Bill 26. How is that community, that municipality, supposed to grow, develop and become more independent?

You hear people complain, "We need these rural communities to be able to be more self-sufficient and self-supporting." How are they supposed to get there if we don't give them any of the tools? This government is not doing anything to allow people in rural Ontario to be masters of their own destiny at all, in any way, shape or form. There are more and more restrictions and impediments to development than there are encouragements or assistance.

1620

My wife is a real estate agent in Barry's Bay with Royal LePage Gale Real Estate. I'll throw that in there; she'll give me heck for that. She was just talking to me the other day about selling a little lot today. The hoops that you've got to go through to sell a lot, achieve a building permit or anything like that are absolutely unbelievable. We're not talking lots like in metro Toronto here; we're talking about an acre-and-a-half lot that might sell for \$10,000. Yet they've got to go through all of the same kinds of hoops as if they were living here downtown off the Danforth or somewhere. How are we supposed to be able to develop if you can't even sell a lot or achieve a building permit without going, as I said before, to hell and back in order to get there?

Having said that, we know that urban sprawl is an issue, and we can't continue to do it just the way we always have. But alas, I think that regardless of the best intentions of this government or any other, when push comes to shove, the needs of society will always dictate the direction of the government. Right now, they're very solid that this is going to be protected land in perpetuity and that it'll outlive me and my children and my grandchildren, if we ever have any. We don't have any yet, but if we ever do, it's all set in stone and nobody should ever concern themselves that that's going to change.



We don't like a lot of the provisions within that bill, especially with what it does to hurt farmers in the province of Ontario, but I do believe that, sometime down the road when the demands are strong enough, the government of the day will adjust any legislation for the same political reasons that this government feels this bill has to be the way they go today. That's just the reality; that's how things change.

It used to be that a farmer here in Ontario could sever off a lot on his farm for personal use—to build a home for retirement purposes or whatever—and then sell the rest of the farm. You can't do that now under this bill. It is all restricted because of this government's actions. You can't even sever off a couple of acres on the farm now for yourself; you can't do it. That is another disappointing effect of this government's legislation on people in rural Ontario. It's the whole pervasive attitude of this government that they are going to control everything.

Mr. Speaker, I can see you feel it's very warm in the chair here today, and it is warm. However, in keeping with Ms. Smith's bill of last year, I'm keeping my tie on, because I feel sometimes that a little bit of suffering is good for the soul. But I wouldn't mind another glass of water, whenever one of the pages has an opportunity.

**Mr. Prue:** I'll have one too.

**Mr. Yakabuski:** And bring a couple for my friend from Beaches–East York as well.

Where was I? Yes, that agriculture severance is not available any more, and that is very disappointing.

Maybe I'll look at some of these notes here. One thing I did want to talk about—the writing's too small on those anyway. I received a copy of a report called *The Rural Ontario Challenge*. I'll be forwarding this to every member of the assembly, and I hope they take a good look at it. It's a group of organizations in Renfrew county. I'll run them down for you, because I think it would be very important for you to know that: Renfrew County Private Landowners Association; Small Sawmill Owners' Association; Water Watch Association; Renfrew County National Farmers Union; Renfrew County Federation of Agriculture; Rural Research Institution; Wood Producers Association of Ontario; and, acting as their adviser and counsel, Delbert O'Brien.

That's a fairly eclectic group. You wouldn't necessarily see all of these people working together on a particular report. But when it comes to the challenge of rural Ontario—and that is in fact not quite the title; it's *The Rural Ontario Challenge*. But when it comes to the challenge facing rural Ontario, and one that has been exacerbated so greatly by this government and its indifference to rural Ontario—thank you very much, Luke. Just put that one there and give two to my colleague there from Beaches–East York.

As I said, you wouldn't necessarily expect to see all of these groups breaking bread at the same table, but they have united with regard to the challenge facing rural Ontario, in particular in my county of Renfrew, as part of my riding of Renfrew–Nipissing–Pembroke.

I'll read you a couple of excerpts from it. I think it's very important. I'm going to read the introduction, if I may, because all of this information is pertinent to the kind of bills that this government continues to bring forward and the impact that it continues to have on rural Ontario. It's *The Rural Ontario Challenge*, prepared by the Renfrew County Coordinating Committee for Rural Action. The introduction reads:

"This is the tragic record of the misguided assault being conducted by the government of Ontario against the wealth, livelihood and values of rural Ontario residents.

"The government's policy ensures the continuous depopulation of rural Ontario."

How are we going to become self-sufficient if governments continue to work to depopulate us? You do need people in order to develop and you do need people in order to generate that wealth and prosperity. This government doesn't seem to recognize it, but this group certainly does. They recognize what the government is not doing, so they're taking action, and I commend them for it.

"The recent report released by the Premier's office entitled 'Small, Rural and Remote Communities: The Anatomy of Risk' perhaps discloses the government's agenda when it states,

"'Virtually all rural areas of the province are in relative, if not absolute, population decline.'

"It further recites, 'At the same time, hard choices have to be made. The provincial government cannot provide subsidies to everyone everywhere in the province. Nor can all small communities survive and provide a reasonable minimum level of services and jobs within a climate of population and economic decline.'"

That's part of the introduction.

I want to talk a little bit about the differences. Last Thursday—and I hope that members of the government will support me in this—I introduced a private member's bill that would compel the government to negotiate agreements on a per capita basis to share the gas tax with all municipalities in Ontario, not simply those that have a rapid or public transit system. I think that is so important to our growth. It's about fairness, too, because in rural Ontario, we pay a far greater per capita share of that said gasoline tax than they do in urban Ontario.

I can't go out for so much as a quart of milk in Barry's Bay without getting into a vehicle, unless I've got an excessive amount of time to spend walking to get a quart of milk. If I want to go to the doctor or if I want to go to Pembroke, which would be the biggest centre in my riding, it is 80 kilometres. To go to Renfrew, which is the second-largest, it is 100 kilometres to drive there for some goods and services that may not be readily available in little Barry's Bay.

**1630**

The rural people pay that tax on a far greater percentage basis than people living in metro Toronto, yet this government has decided that they will not share in it, even though my understanding of the federal gasoline tax

rebate is that they will share that with all communities. This government, in a part of what I consider its assault on rural Ontario, will not share that gas tax with people living in rural Ontario. Those communities are told, "You're on your own. We can't help you." That's not right, it's not fair and we can't simply sit back here and take it. So I'm hoping that a lot of the members on the government side will assert their independence and stand for rural Ontario.

Now, I know that the member for Huron-Bruce has a private motion this week, that we recognize the value of rural Ontario. Well, that's not good enough. You're going to have to pony up with a little cabbage here, boys. They need help in rural Ontario. This government doesn't recognize it; in fact, it ignores it.

**The Deputy Speaker:** Questions and comments.

**Mr. Prue:** It is always a pleasure to comment on my good friend here from Renfrew-Nipissing-Pembroke.

**Mr. Dave Levac (Brant):** He brought you water.

**Mr. Prue:** He brought me water, yes, and he is a very kind man to understand that I, too, could be thirsty.

I listened with great interest to what he has to talk about, because his reality in his riding and my reality are very much removed. If his riding is some 12,000 square kilometres, I believe that mine is—I've never measured it, but it most certainly is under 20. In fact I can ride, if I'm in a car and if it's not too busy with traffic, from my end of the riding, where I live in the northwest quadrant, down to the southeast quadrant at the Beach in probably eight or 10 minutes, unless the traffic's bad. I will tell you that there is a very different reality from what he sees, or what he is trying to protect in his neighbourhoods, to what I am.

To my view, sprawl is a contagion. Sprawl is a problem that is happening and that should not be happening to the areas around the mature, built-up commercial, industrial and residential areas of a large city like Toronto. I only have to travel a few miles or a few kilometres outside the city, in land that was once pristine farmland. I challenge anyone who knows the city of Toronto to go up Dufferin Street north of 401. If you went up that street, I would think even five or six or seven years ago, there was nothing but beautiful farms, the odd golf course, for as far as you could drive, way past Highway 7, way up even well beyond that. Today, there is subdivision after subdivision after subdivision. It is really quite remarkable to see how fast it is growing. It isn't the only area of the province. We need, as a government, to try to rein some of that in if we are to protect our farmland and all of that greenbelt and all of the area around it.

**Hon. Mr. Caplan:** I wished the member for Renfrew-Nipissing-Pembroke had spoken to Bill 136 and some of the provisions contained within it. He did not, but that's OK. Members, of course, are free to talk about what they wish in this chamber. I know that the member from Beaches-East York will spend some time talking about the bill.

The bill is a legal framework. It allows the government to designate growth plan areas. There are some

people here in the Legislature today who had an awful lot to do with helping to put this together, certainly at the ministry level. I did want to take the opportunity to both recognize and to thank them, and the many others represented—my deputy minister, Geoff Hare, is here with us today, as is assistant deputy minister Brad Graham. Without their invaluable assistance it would not have been possible to put this legislation together, to put in the thought, the incredibly complex work as far as developing a greater Golden Horseshoe growth plan. I very much wanted to put on the record the kind of work that these individuals have done. My former assistant, Leslie Woo—there are so many people, I could spend more than the minute and a half allotted.

I hope the member from Renfrew-Nipissing-Pembroke will want to talk about the preservation of agricultural land and rural communities, keeping those communities and the types of investments we have made through things like the Canada-Ontario municipal rural infrastructure fund. I don't have the exact figures in front of me here today, but I know there was a significant amount of money invested in his riding. I know that, as a fair-minded member, the member opposite would want to indicate how well received that has been by the municipalities and the rural communities that he spoke quite passionately about.

This government is committed to all Ontarians, be they north, south, east, west. This is a government for all of Ontario.

**Mr. Dunlop:** I'm pleased to rise today to respond to the comments made by my colleague the member from Renfrew-Nipissing-Pembroke. I think it's always nice to put on the record that although there was basically a sweep in the power of government in the last election, this member was our only new member elected, and that's not because of—

**Hon. Mr. Caplan:** Laurie Scott.

**Mr. Dunlop:** Our only new member-held riding, OK?

Don't worry. We'll have Haliburton-Victoria-Brock forever after you guys are done with it. You don't have to worry about ever being up there and running a candidate. The same as in Simcoe county, I think you're pretty well history up there.

This new member has done a phenomenal job. I've been in his riding with him a couple of times and have witnessed his concern for all the different communities, and particularly Barry's Bay, his home community. The respect this man has within the community is unbelievable. I think a lot of it comes from recognition of his father, who was a member here for a number of years, but John has quickly established himself as a great representative for those folks. I think you heard in his comments today how well he spoke about his passion for rural Ontario.

I think sometimes the government of the day forgets to look at a map. When you look at that map, you see that most of the province is rural. Something I'm seeing more in my riding is that there's a lack of concern. With the leapfrogging effect we're seeing with the potential green-



belt legislation and how we're going to develop in Simcoe county—we haven't seen any funds come with that in all the different ministries and we're quite disappointed in that, and so are all the mayors, deputy mayors and councils. So we've got a long way to go.

I know the minister is wanting to hear my speech a little later on. I'll be addressing all the concerns that I have not been able to in comments and questions.

**Mr. Colle:** I just want to make sure the people of Ontario realize that we're losing hundreds of thousands of acres of some of the best farmland in North America as a result of developers—and you can't blame the developers; they want to make a fast dollar. But this bill and our greenbelt plan are about our children's children. We can't always expect that all of our farm products are going to come from Mexico or other countries. We want to be able to have locally grown tomatoes, like you have in Leamington, for our children's children.

If we don't put in any rules and if we don't direct development on to brownfield sites, etc., we're not going to have any farmland left in this province. That's why the majority of Ontarians support the greenbelt legislation, which protects 1.8 million acres of land. They support this bill, which designates where the growth should go, because we don't want growth to go on flat, fertile farmland. That's what developers are doing because they went unchecked by the last government. If we were to continue with that kind of unbridled development, we wouldn't have any farmland left for our children's children.

This is a brave and very sensible way of not only protecting farmland but also ensuring that sprawl is curtailed. Sprawl costs this economy billions of dollars, because you always have to replicate more hospitals, more schools, more roads. The developers develop the farmland and they're gone. Goodbye, Charlie. They don't care about the fact that governments have to put in all these schools, hospitals and roads.

What we're saying is, let the people decide where the growth is going to be and let's not let the developers dictate where they want—as you know, developers always want farmland. They don't want to go into brownfields. We're saying, “Go to the brownfield sites.” We've got thousands of acres of brownfield sites ready for development all over this province—in Brantford, down on the lakeshore in Toronto. Let's get them off the farmland and get them on the brownfield sites.

1640

**The Deputy Speaker:** The member for Renfrew–Nipissing–Pembroke, you have up to two minutes to reply.

**Mr. Yakubski:** I thank the member from Beaches–East York, the Minister of Public Infrastructure Renewal, and the members for Simcoe North and Eglinton–Lawrence for their comments, some of which had little to do with what I said but, then again, sometimes I make speeches that have little to do with what somebody else says.

The member for Beaches–East York did recognize—and I think that is an important step—that there is a

significant difference in a riding such as his here in Toronto and a riding such as mine in central eastern Ontario. That is, part and parcel, one of the important distinctions, and it's important that that recognition is taken into consideration when decisions are made in this Legislature, because the member realizes that the one-size-fits-all approach simply doesn't work.

Unfortunately, we see policy developed in Toronto by Torontocentric thinkers who believe that they have the master plan for the world, so Ontario is pretty easy, then. Rural Ontario gets kind of swept up in that maelstrom there, and all of a sudden it's not working in rural Ontario. “My goodness, it was so well-designed,” they think. But they never really have been to rural Ontario, they never really have been around to understand how rural Ontario works, how rural Ontario thinks, the needs of rural Ontario—only how they see rural Ontario. That's something that we all could learn more of.

**The Deputy Speaker:** Further debate?

**Mr. Prue:** I have the leadoff today. I did not have it before. That went to my colleague Marilyn Churley, the member from Toronto–Danforth. But I'm very interested in this bill, and I asked if I could do the leadoff here today. So you're going to get a bit of a different perspective than you will from Ms. Churley, who is the NDP's critic on environmental issues. I come at it more as a person who is interested in municipal government, a person who has lived his entire life in this very large city, save and except for one kind of interesting year that I spent in Ottawa as a graduate student. But this is the place that I call home, and I see much of the perspective in very urban terms.

I just want to talk about the whole problem of urban sprawl. I've dealt with that a little bit in some of the two-minute hits. The problem of urban sprawl—I saw it as a boy growing up in Ontario—is that the sprawl appears to be never-ending. I remember a long time ago when my uncle, who was then a police officer, came in to see my mother and announced that he had bought a home and that he was moving out of the downtown core, where he and my mother had grown up. She was all excited for him and wanted to know where the home was, and he announced that it was near Midland and Lawrence. My mother started to cry—I still remember this as a boy—because he was going so far away that she might never see him again because of the commuting distance, the difficulty in getting there. Because there was no public transit, he would have to come down by car or we would have to go up by car. In those days, of course, not everybody had a car. It was very difficult to believe that he was moving so far away.

I remember as a boy going out to that place around Midland and Lawrence—it was all farm fields—and wandering in some awe, growing up as a boy in Regent Park downtown, to see all of the things that were growing in the fields, the raspberry canes and fruit and all of that stuff that was growing, and a little stream where my cousin and I went fishing and caught some chub. It was all there. That was only 40 years ago—45 or 50 years

ago. I shouldn't be lying about my age. That was the reality of what existed there at that time.

If you go there today, you will see that's very much the heart of Scarborough. It has been eclipsed over the years as development went further and further north and east. In fact, now you can say with some justification that the greater Toronto area quite rightly spans the entire distance from Oshawa right through to Hamilton, and then around the Golden Horseshoe as well. If you drive the streets, you will see that if you go along the 401 or any of the major highways, it is very difficult to tell where one community ends and another begins. That was not always the way.

The problem of urban sprawl should not need to be explained to the members of this House. We know that there are problems with many of the brownfield sites and with some of the other greyfield sites. We know that developers seek out land that was once farmland, that was once pristine, that had forests on it, in order to raze it all and to build housing that sprawls and seems to be never-ending.

We know that there is a problem in many of the municipalities: that they are quite literally hooked on this development because of the fees that it brings in. If you wonder why Mississauga has been so spectacularly successful over all of these years and why Brampton is now, it's because of the development fees associated with the building of new houses. But we know that at some point this has to end. Even Hazel McCallion, that venerable and wonderful mayor of Mississauga, is admitting, now that the greenfield sites have been exhausted, that some of the decisions that were made in her municipality were in error, that she ought not to have done what she did, because it has been developed in a way that is not cost-effective, that in fact she should have built up a lot more than she built out, and that Mississauga, no longer having those sources of revenue, for the first time in its history has had to raise taxes for the last two years, and probably will have to raise taxes each and every year well into the future.

We also know that when these places were developed, people relied upon the automobile. I remember some people I knew, when I worked in the immigration department all those many years ago, who bought homes in Barrie and commuted from Barrie to Toronto International Airport, as it was then called. I couldn't imagine someone commuting all that distance to come to work each and every day, but they did so because the houses in those locations were cheap, the gas was cheap and you could buy an inexpensive car and make do. People were choosing to live in far, far distant communities, with transportation that literally took hours.

We also know that this province has an obligation to protect farmlands. There was a luncheon this afternoon which, unfortunately, I could not attend, because I was having luncheon with two of the pages. It was an absolutely spectacular lunch, I hope. They were really quite entertaining. Speaking to young people about their goals and aspirations is something that I think all of us in this

House should do more often, because I think they see these problems.

We need to protect the farmlands, but we have not done a good enough job, in my view. There was a luncheon put on this afternoon which, as I said, I could not attend, by people who are in the greenhouse business in Ontario: Ontario farmers. We need to respect what they do, because a good deal of the food that we have available in this province comes from them.

We also need, I think, spectacularly to look at the whole problem of what sprawl has engendered in our society. There was an excellent little article—I don't want to read it all—put out by the Ontario College of Family Physicians, dealing with sprawl and their take on what happens when you allow never-ending buildings to go on and on in areas that were once pristine farmland, and what happens to the people who live in this new sprawl. They have six points. I think people would be surprised at what happens.

#### 1650

Number one, "Urban sprawl leads to increased motor vehicle use not only because of greater distances, but also because it makes adequate public transit services less financially feasible." We can see what has happened in the greater Toronto area, where all of the transit, or virtually all of the transit—90% of it that exists in this greater Toronto area—exists within the new megacity of Toronto. Only 10% is found in Durham or in Halton or in Peel or in York. That's what's there. It's 10%, because people who live that far out cannot rely on the transit service. It's not cost-effective and it has never been developed. Even if it's late in coming, I welcome it now, but the sprawl that has taken place is not intense enough to make it cost-viable.

The second point they're trying to make is that "Greater dependence on personal vehicle use leads to an increase in air pollution." I think that goes without saying. The average is 1.2 persons per car that you will see on the roads in the greater Toronto area. That's what's happening. People out there are driving cars all over because there is not an alternative available to them. That is why we have days like this, smog days. That's why people are having problems breathing, which takes me to the next one.

"Air pollution has also been linked to reproductive health problems and rare cancers," such as childhood leukemia. We know that the incidence of those is increasing exponentially. As years and years go on, more and more people are developing these forms of cancer.

The Ontario College of Family Physicians goes on to say that "Compared with people in more efficient and higher-density communities, people in car-dependent communities walk less, weigh more and are more likely to suffer from obesity, high blood pressure, diabetes and cardiovascular problems." I think that may be a surprise. You often think of people in suburban areas as being more healthy than their city counterparts. You often think of people in rural areas as having cleaner air and a better lifestyle. But the reality is exactly the opposite, because



urban people live in close proximity and can walk to the corner store rather than driving to the neighbourhood mall that may be miles and miles away. Because they can walk to their doctor or to their entertainment or to the local pub or to wherever else they're going, they tend to do so far more. They tend to be healthier, they tend to live an urban lifestyle which eschews tobacco, and, quite frankly, people get a lot more exercise. If you were to do statistics, and people have done them, you will find that children who live in places like Toronto or Hamilton or Ottawa are far healthier than their counterparts in many rural communities, and particularly are far healthier than many of their counterparts in suburban areas, where the children, if they are to participate in sports at all, have to be driven 10 to 15 miles to the local hockey arena or to a tap dance class or anything else in which they might participate. They even, in the majority of cases, have to be bused or driven to the schools. Very few of them have the opportunity to walk to them.

You also see here that they are saying, "Longer commuting distances lead to increases in traffic fatalities," and I think that needs no explanation. Directly proportional to the number of miles that are driven is the possibility that one might be involved in traffic accidents. In fact, most of the horrific traffic accidents that take place tend to take place in rural communities. Certainly as a percentage of the drivers, you will find that that happens, because the distances are long, people are tired, the roads are not in the same repair and, quite frankly, it just seems to happen as you spread people out. As you make them drive more and more, you have to know that the risk of such people dying in traffic accidents goes up.

Last but not least, they say that "People in sprawling communities are more likely to suffer from mental health problems due to long commutes, isolation and loss of social capital than people in better-planned communities." I had never really thought of this one, but I guess sitting in a traffic jam on the 400 highway going home at the end of a busy day could cause some people a great deal of tension, knowing that you cannot walk to work, knowing that it takes hours, knowing that you are isolated and alone in your car with nothing more than a radio or perhaps a cellphone, although I think my colleague from Durham would certainly want to dissuade that.

That's the reality for many, many people: Their workday is not an eight-hour workday, to which many of us aspire. Certainly I have not seen, in my political lifetime, an eight-hour workday. I don't know what that is. Their workday is not eight hours, because their workday is sometimes an hour, an hour and a half or even two hours, getting in a car and coming to their place of work, and then an hour, an hour and a half or two hours to drive home at the end of the night. If it's raining, if it's snowing, if the traffic is bad, it can be even much more. They become isolated from themselves, from their family, from their fellows. That's just what sprawl does.

Now I've talked enough about sprawl. I want to make sure that people understand that in no way can anyone

possibly think that it's a good thing. Those old ideas about having a four-bedroom, split-level bungalow in the suburbs as being the ideal are quite frankly not the ideal. The ideal is for people to be plugged into their communities. The ideal is for them to be able to walk to work. The ideal is for them to be able to have all of the amenities in close proximity so that they don't require a car, they don't require the commute and they have, in effect, a better term and lifestyle.

What are the problems? I have spoken enough about sprawl, but I needed to put it on the record because I keep hearing people say that they don't think it's a problem, and in fact it is.

We look forward to this bill. We thought it was a much-heralded bill. We were hoping that it would stop sprawl as we know it, particularly in the Golden Horseshoe area. I have to tell you that although I look forward to the bill, I do find the bill to be rather timid. I find it to be timid.

**Hon. Greg Sorbara (Minister of Finance):** Oh, Michael.

**Mr. Prue:** The Minister of Finance is quite shocked that I find this to be a timid bill. I find it to be timid for several reasons that, I think, could have been fixed, but it was chosen not to fix it.

First is the public notification. The public notification of the growth plans should have been mandatory, but they are discretionary under the bill and under the act as has been put forward. I know my colleague from Toronto-Danforth tried to change that and tried to make it mandatory so that if there are growth plans, the developers and municipal councils can't hide behind what is being negotiated in the backrooms; they have to come right out and put their plan in front of the government and for all the world to see for at least 60 days prior to their actually proceeding so that people have a good idea of what's happening and they can't be blindsided. That, of course, was voted down in committee.

If the plan is such a good plan and what you are trying to do is such a good thing—and I was hoping that it was—then you should be prepared to shout it from the rooftops; you should be prepared to say, "This is a plan we have. These are the improvements we're going to make. Here it is. Come look. Let's do it." But, in fact, it is going to be discretionary, it is going to be hidden away somewhat. I think that is not really a very good thing.

Within the body of the legislation, I tried to look for strong words, but I found timid words. There are really no provisions for making this stronger. What I saw are words like "provincial works" or "undertakings"—i.e. highways. There are no provisions in there to bring these to the fore. Highways, provincial plans can have a huge impact on where we are going with this sprawl. That is really quite exempt from this bill, and I have some difficulties with that.

I went on to read about the draft growth plans. The first thing that caused me to use the word "timid" in my own head was the fact that this growth plan sets a 40% target. This is really quite uninspiring. I know that our

good friends the civil servants would have wanted to be much stronger than that, but here we have a 40% target.

You only have to look at what other leading jurisdictions are doing to know that Ontario's plan is not up to snuff. The minister had the courage, earlier in his own statement, to say that we are falling and have fallen far behind other jurisdictions, but this bill leaves us far behind those same jurisdictions.

1700

Look at Great Britain. Great Britain has a targeted growth set at 60% for the year 2006. They have to meet 60% by next year. We have 40% for an unspecified period way down the road. Look at Vancouver. Vancouver set theirs at 70% by the year 2021. We have 40% in an unspecified period. Look at a place like the city of Toronto. The city of Toronto mandates a 100% target, and has been able to accomplish much of the growth within that city and within that region at a 100% target, yet we can do no more than 40% in this bill.

I have to ask, why are we there? Why are we so timid? Why can't we be strong? Why can't we be like Great Britain? Why can't we be like Vancouver? If we can't get all the way to 100% in Toronto, which is a major portion of the horseshoe area, then I'm wondering, quite frankly, why this target has been set so low. I know my colleague the member from Toronto-Danforth tried to raise this to 60% so that we could be, in the future, somewhere where Great Britain is today. Again, that unfortunately was voted down in committee.

There was a man who came before the committee and I'd like to quote him. His name is Paul Bedford. Paul Bedford is one of the smartest planners that I have ever in my life had the privilege of working with, and I've had the privilege of working with many of them. I'm just trying to find his quote, because Mr. Bedford speaks with great authority on this. He was the lead architect, if I can use that word, of the city of Toronto's official plan. He steered that city through its new official plan following amalgamation, and he is a man of some considerable insight. He said the following to the committee and I quote him in its context:

"I believe it is important to increase the minimum intensification target to at least 50% if a positive impact is to be realized. By way of example, the city of Toronto has a 100% target. This has not affected growth, with council approving 25,000 units of new housing in 2004 and approximately 140,000 units of new housing in the development approval pipeline."

Mr. Bedford knows how to do it, in my respectful statement here today. I think Mr. Bedford has it right, that we need to set a doable target but we need to set the target with the idea that intensification will be the norm, not that intensification will take place from here or there and that it may be weak and that it may only approach, at some point if you're lucky, 40%. We know that intensification in the greater Horseshoe area is at present somewhere around 15% or 20%, but think how much better it would be if it was at 60%. Think of how many farms would be saved. Think of how many lives would

be saved. Think about how much better our health would be and how much better our transit and transportation systems would be able to operate.

This bill also failed because it does not include highway corridors or extensions. We know from some of the discussions that went on around this bill that there are a couple of highway corridors and extensions that will cause a great deal of difficulty in terms of urban sprawl if allowed to go ahead, and we believe that they are. The first is the Highway 404 extension which goes up to Lake Simcoe through the Queenston area. All the way to Lake Simcoe there is going to be this large highway extension. This was talked about in committee but seems to be pooh-poohed. If that is built—it's like the old baseball adage, "If you build it, they will come." If you build this highway extension, then you are going to open up the entire Queenston area to development and housing, and that is not really what I think this government has in mind when you put in all of the good words about green-fields.

There's also an extension of Highway 427 to the southern border being planned, and that will impact on some of the tender fruit lands and the farming country south and west of Toronto. I wonder why it's in there. I absolutely wonder why there is nothing in there that would connect these areas, if they were to be built, with either rail or transit.

There's also nothing in there about the economic corridors. There are three of them that the government is planning, and these too are going to impact what is built or what happens. The first one is the mid-peninsula corridor, the second one is the 407 east and the last one is the GTA west, linking Brampton to Guelph. All of these corridors are going to have a major impact on what happens, and yet there's nothing in the bill that is going to forbid this or even to allow it to be included in the planning process. As I said, this is a timid and a weak approach.

The issue of settlement: There's nothing in here about the area boundary extensions. There are no clear tests for those extensions in the short term other than that the bill, in its very weakness, defines that in the short term they're going to have "sub-area plans"—I don't know what a sub-area plan is—and they're also going to have factors to be considered, which to date are unspecified.

I know what is happening around the province, because one only has to get outside of the major media to read what is happening in little towns and how they are trying to get ahead of this legislation. They are trying desperately to do what they think is best in their own development, something which I know that this bill won't stop. One only has to read the Bradford West Gwillimbury Times to see what this is all about. I'm going to quote in part from a story contained in there entitled "Geranium/Metru's Offer to Pay for Oversizing of Sewage Plant," dated April 9, 2005. By way of explanation, in the third and fourth paragraphs, it says:

"Expanding the design of the treatment plant but not the rated capacity would create the potential to provide



sewer servicing at some point in the future for the 500-acre special policy area at Highways 400 and 88 and the entire Bond Head settlement area, both of which are already recognized in the town's official plan.

"The town has expressed interest in developing employment lands in the Highway 400 corridor."

But you skip over to near the end of the article, when the politicians start talking about what this really means, and you think, why would private developers want to build a bigger sewage treatment plant for no cost to the municipality? Why? Just stop and think why a private developer would want to spend all his money so that you could have in your municipality a bigger sewage treatment plant.

It came right down to it: "It's not a pipe dream out there," said Mayor Frank Jonkman, noting that there has already been interest expressed in constructing over 500,000 square feet of C/I development at Highway 400, if the town can guarantee water and sewer services.

"Councillor Duncan Page," it goes on in the article to state, "was skeptical. He questioned why Geranium/Metrus would consider paying the cost of a sewer force main to Bond Head, when the maximum potential population of the hamlet is only 3,000 people—and why they would extend servicing to Highway 400, when they own no lands within the area.

"Doesn't this look like a foot in the door?" he demanded. The developers have proposed a planned community of over 60,000 people between Bradford and Bond Head."

The last paragraph was the most disappointing of all in this article: "Committee of the whole recommended that council enter into an agreement to oversize the treatment plan."

That's what is happening out there. This government brought in legislation around the Oak Ridges moraine. It wasn't strong enough, but what happened is that the developers are smart. The developers are rapacious to the core. They are going beyond the area of the moraine, and they are starting to make deals with small towns like Bradford, East Gwillimbury and West Gwillimbury, towns that are in desperate need of servicing and infrastructure, and they are offering to build, gratis, large treatment plants which are well beyond the capacity of the town to use. There is nothing in this bill that forbids this.

1710

I want a bill that is far less timid. I want to make sure that this can't happen. I want to make sure that developers can't take the money and build these facilities. Again, going back to the baseball story, you build it and they will come. They're smart; they know what to do. They know if it's built and the capacity is there, it's only going to take a little while until the capacity is built out.

I looked at this bill again for all of the things that are or are not in it. There's nothing very much in this bill about affordable housing. I wish there was more. There are no mandated targets, for instance, about affordable housing. We don't know if this is going to be done, if

infill is going to take place. We don't know whether or not people are going to be able to afford to live there. You know that is why developers have gone out and out, further and further away from downtown cores to build housing, because the land is cheaper, and people who want to own a home or own some property or live in a nice place are forced to go out there. They're forced into the long commute; they're forced into all of the problems associated with it. Really, some kind of vision is going to be necessary. If we are going to develop and intensify in the downtown cores and the brownfield sites and the greyfield sites, there has to be a commitment to affordable housing. Unfortunately, I do not see it in this bill. It's not set at 1%, it's not set at 5%, it's not set at 10% and it certainly is not set at 25%, which was the provincial target for many, many years. It's just not there. But it does require that the municipalities try to produce some of this. Then again, saying that the municipalities should help to produce it or should have it in their official plan does not accomplish it if, in fact, there is no money for the municipalities to undertake it.

I looked and I watched with some interest when, it must be about a month ago now, I was in the same tent in Beaches-East York with the Minister of Public Infrastructure Renewal. Some people from Ottawa were there, the mayor was there, the local councillor was there. We were all there to welcome the building of affordable housing in Ontario. We had great plans and great hopes, and I still do. I could tell that the minister wishes he could do a lot more. Unfortunately, when I had to look at reality and the budget that was passed down a couple weeks ago, the gleam that was in his eye must have dulled somewhat, because the \$300-million plan got a short shrift; but \$31 million was put toward that plan. I don't know where the municipalities are going to find the money, if the province cannot. I don't know how the affordable housing is going to be built.

In terms of transit, of course we welcome every penny that is put into transit. In our party we believe that transit is the way of the future, and where transit is not used, we believe that trains are a viable and better option than highways. Things can be moved much cheaper, things can be moved much more efficiently and things can be moved in greater safety by utilizing trains. The same can be said for moving people with transit. I don't see the commitment in this bill, although I don't expect this bill to contain everything on transit.

There is the whole problem of infrastructure. The municipalities are in desperate need of infrastructure money. It's been promised. I hope the federal budget survives. I know that today in the House a member of the government crossed the floor to become an independent. I don't know how strong or how long this Parliament is going to last, because the inherent weaknesses appear to be springing up all over the place. It is difficult.

I have to say that the problem of urban sprawl speaks for itself. We have tried, in our party, to highlight the difficulties. We appreciate that the government is trying to bring forward a bill, but we just wish it wasn't so

timid. We wish it had the force to do something. As my colleague from Toronto—Danforth said in a press release about the problem around Lake Simcoe—she said it quite succinctly, and I'd like to quote her. This is dated April 28, 2005, and it's entitled "South Simcoe Becomes Wild West of Land Development." She said, "Bond Head is now the target of planned leapfrog development and urban sprawl. The Bond Head situation reveals what we've maintained from the outset—the greenbelt will not stop urban sprawl.... Because the Liberals failed to include south Simcoe lands in the greenbelt, developers are now finding new and creative ways to bypass it, including donating infrastructure money with no strings attached to a target municipality. This scenario will become common around the greenbelt boundaries."

This is what we're afraid of. This is why we think this bill should have been strengthened. This is why I'm standing here making a speech now instead of giving unanimous consent to have it passed. We want a stronger bill. Unlike my colleague from Renfrew—Nipissing—Pembroke, who is opposing the bill because he thinks it's going too far, we don't think it goes far enough.

**Mr. Rinaldi:** That's why we're right.

**Mr. Prue:** Well, no. See, this is the Liberal answer to everything. Because the Conservatives think it goes too far and the NDP doesn't think it goes far enough, they think they must have it right. Well, I would say it shows that you really haven't thought it through, if you think playing the middle of the road on every issue is having it right. Quite frankly, playing the middle of the road on every issue is generally getting it wrong, because you're not taking the kinds of positions that you need to take.

Here is proof positive that you're not taking the positions that need to be taken to stop urban sprawl and to do what is necessary to protect the farmlands in the greater Golden Horseshoe area, to protect the population who are forced to commute long distances, to protect the health and safety of our citizens. This is what needed to be done, and quite frankly I think this bill has failed. If your whole goal is to run a middle ground somewhere between what the Conservatives say and what the New Democrats say on every issue, then I will guarantee you that that is a testament to the failure that inevitably will happen. You have to be strong in your commitment. If your commitment is to stop the sprawl, then this bill should have been stronger.

I don't want to repeat myself at all, so I'm going to stop in about one minute and let the debate go on. But I want the members to think long and hard about what you're doing. If you really believe some of the statements that you have said, if you really believe that urban sprawl is to be contained, then this bill needs to be improved. It should have been improved at committee; it was not. If you are going to use your majority to put it through, as I'm sure you will, then at least have the good sense to review it almost immediately, because you cannot allow the conditions that exist in Bond Head or in Bradford and you cannot allow the conditions that seem to be manifesting themselves in Pickering or in Durham to manifest

themselves and to allow the sprawl, with municipal councils seeking ways of making extra money. If the goal is to protect and to stop the sprawl, then the legislation has to be strong enough to contain that. It isn't now. It needs to be in the future.

If the situations that I experienced as a boy going up to Midland and Lawrence and seeing beautiful farmlands that eventually became paved over with tract after tract of housing aren't to happen everywhere else in this verdant province, then other solutions need to be found, the money needs to be found, and, most importantly, you need to find your will.

**The Deputy Speaker:** Questions and comments?

**Mr. Rinaldi:** It gives me great pleasure to make some comments to my friend from Beaches—East York about Bill 136, the Places to Grow Act.

It's somewhat confusing that we hear that the bill is not strong enough. For years, the province was out of the planning process. I can tell you that as I travelled with the minister and some staff last year to communities across Ontario, both urban and rural, we kept on hearing the same thing over and over again: The province needs to get back into the larger planning issues, and municipalities need our help. So it's the first time in God knows how many years that the province is getting back into overall planning, to coordinate planning across the province, and also to allow for some tools for those municipalities to make things happen in a coordinated effort.

1720

Last Friday, I had the opportunity to address a joint summit on brownfields redevelopment between Canada and the US, mostly Ontario, Michigan and New York state. I talked about Places to Grow and how it impacted brownfields. Some of the delegates I had the opportunity to speak to one on one after my presentation welcomed the Ontario initiative to help them rehabilitate brownfields, to give them some of those tools.

I know the municipality in my community and other communities I spoke to welcome this legislation. Does it go far enough? Well, it's certainly a great starting place. The beauty of this legislation is that it allows the minister to come up with different plans across different sectors of the province. We know how diversified Ontario is. What works in the greater Golden Horseshoe does not work in northern Ontario.

I look forward to getting this legislation passed so that we can get on with the process of planning for the future of Ontario.

**Mr. John O'Toole (Durham):** It's a pleasure to respond to the member from Beaches—East York. He will go down in history as the last mayor of East York. I know he clings to that title with tenacious effort.

But his comments are relevant. Having grown up in Toronto and having served in many capacities, his comments here are very worthwhile and notable. You can count on the NDP at least to be consistent, and their consistency is that everyone should live in urban areas and you should have the rest of Ontario to park your bike or your four-wheel drive and go for a hike.



Respectfully, his comments today were rather consistent over time. If you look back to the Sewell commission when they started to look at planning in Ontario—Mr. Sewell, the former mayor of Toronto, would be no stranger to this assembly, indeed to the member from Beaches—East York. But at least they were consistent. We understand the need to intensify the population that's expected to come to Ontario, a great place to live, work and play.

We need to protect the environment. We need to make sure that there's an overall strategy. What's disappointing to me, though, is the inconsistency of the government. If you listen to the language they use about giving local-tier municipalities more control, in fact, it's quite the opposite. In the comments I'll be making very shortly here in the little time I have been allocated to speak on this bill, I will address these inconsistencies.

To the member from Beaches—East York, as the critic for planning and municipal issues in their caucus, I commend his predictability and I commend his tenacity to hold on to the ideals which I think are important in this House. I may not agree with them all, but in protecting the quality of life we've come to expect, I would agree with him there.

**Mr. Milloy:** Although I didn't agree with all that the member from Beaches—East York put forward, I do want to congratulate him on, as usual, a thoughtful presentation. What I think the honourable member missed is the enthusiasm that exists for this bill in many communities across the province.

It's no surprise that I'm standing up yet again to speak on this afternoon, coming from Waterloo region, which, as I believe the minister pointed out a few minutes ago, has been light years ahead of most communities and, indeed, the province in terms of planning. They began in the 1970s to look ahead and figure out where we, as a region, want to be in 10, 20, 30, 40 years. Most recently, in 2003, they put out a planning document which anticipates 250,000 people coming to our region. They said to themselves, "How can we build the infrastructure, how can we plan, how can we have the type of development which is going to protect our community in the way it goes forward?"

As you know, I'm a new member to the Legislature and I did something which I encourage all members to do. A few months ago I sat down with the planning department, some key planners in Waterloo region, and they outlined to me how they envision the region developing, and, of course, looking at public comment. This is a group of individuals who are forward-thinking, but the one thing they lacked were the proper tools. They needed tools in the way of a legislative framework that allowed them to make decisions for the future of our region that were going to benefit everyone and that couldn't be overturned. They welcome this bill. The regional chair, whom I've quoted in the House before, came out with a very positive quote that was included in the ministry news release, outlining how a bill like this is going to allow the region of Waterloo to build on its

success in the past and move forward with the type of growth and development that is going to make sure its nature is preserved. I fully support the bill.

**Mrs. Donna H. Cansfield (Etobicoke Centre):** I'm pleased to stand in support of Bill 136. I believe the optimum words are "planning for growth instead of simply letting it happen." When you anticipate the number of people who are going to come into this city and into the GTA over the next number of years, it simply would be unconscionable not to have some planning strategies put in place so that municipalities can work together, along with their natural boundaries, to determine how that growth should take place.

If you look at the growth that has taken place in some of what used to be the suburbs—for example, the constituents in my area, Etobicoke Centre, look at Places to Grow as an opportunity and a tool for them to help plan what they think that community should look like in terms of intensification or density. As you know, we just closed the Lakeview coal-fired site. If that brownfield is rejuvenated, what do you put in there?

That's the growth that you plan for. You need to be able to engage the communities, the municipalities, in the process, and you actually can make it happen so that it's constructive, so that at the end of the day you don't just have something that has simply been put up, and then you have many people who are distressed because it doesn't fit in with the local landscape, it hasn't been part of any consultation process and it doesn't recognize and share the heritage of that particular community. People are really frustrated by this process. What Places to Grow does is give them the mechanism to do growth in a planned way that actually respects not only the municipal boundaries but the natural boundaries as well.

This is something that's new for us, but it's not particularly new in Europe. In fact, if you go to Europe, they are doing this in most of western Europe. They are looking at how they too can protect their greenbelts and how they are supposed to do their planning and management. We've simply gotten in at the bottom end of it, but at the end of the day, the most important thing here is that it will be planned and not haphazard.

**The Deputy Speaker:** Member from Beaches—East York, you have up to two minutes to reply.

*Interjection.*

**Mr. Prue:** Yes, there is something more to say.

I would like to thank the members from Northumberland, Durham, Kitchener Centre and Etobicoke Centre for their very good, very insightful comments.

The member from Northumberland said that it is a first step. If I thought it was a first step, I might be more congratulatory about it. But I think this is part of the end step. What has been done is not in terms of a first step. What I have suggested is that if it is a first step, it should be reviewed almost immediately to make sure that situations like Bond Head do not recur faster than you think.

To the member from Durham: I don't know his view on New Democrats, but I think a lot of them do much

more than park their bikes and go for a walk in the areas outside Toronto. We have a consistent view, but it is for all the people of the province. In fact, we think that development of a real growth plan would do much good for many, many communities, and not just urban ones.

The member from Kitchener Centre said that many people are looking at this with enthusiasm, and I would agree with him. Whereas before there was nothing, there is now something, and one has to be enthusiastic about that. But he went on to talk about the proper tools, and that's where I think this plan falls down, because there are not proper tools.

Last but not least, the member from Etobicoke Centre talked about planning for growth. This is a plan for growth, but in some way it has left out the municipalities. She talked about the municipalities, which will still have carriage of the actual plans. This will allow places like Bradford to do exactly what Bradford is doing in Bond Head. This is what causes me some considerable angst.

1730

**The Deputy Speaker:** Further debate?

**Mr. O'Toole:** With your indulgence, Mr. Speaker, I'm going to be quite extraordinary here and take off my jacket because today, as you would know, the electricity system, which is under the Minister of Energy, is experiencing a very high level of demand. It's expected to rise to over 23,500 megawatts of electricity. In fact, it's just one more example of centralized planning. I can say that what's missing from this equation on this particular issue is the cost of electricity. I've asked the minister repeatedly and still don't have any idea, except that today we know that energy is going to be over 10 cents a kilowatt hour. That's about double. So it explains why I'm removing my jacket. It is a warm day. It's a beautiful day in Ontario.

Having served on local council in Clarington as well as the region of Durham, I have some appreciation for the autonomy and authority of locally elected councils. I'm going to read the explanatory note in Bill 136, which pretty well outlines my concerns. It's this usurping of duly elected local authority local. It says here under the explanatory note of Bill 136—for those viewing, Bill 136 is available at my constituency office in Clarington.

"The bill gives the Lieutenant Governor in Council the authority to designate any area of land as a growth plan area and to establish a growth plan for all or part of that area. The contents of the plan are set out in section 6," which I'll get to in a few minutes.

"The council of a municipality, a municipal planning authority or a planning board that has jurisdiction in an area to which a growth plan applies"—here's the word—"shall amend its official plan to conform with the growth plan." Centralized planning—it's sort of like the old plan—

**Mr. Dunlop:** Big Brother.

**Mr. O'Toole:** Big Brother, the Russian approach to centralized planning and all things by the centre.

I'm going on here in the explanatory note:

"A decision under the Planning Act or the Condominium Act, 1998 or under such other act or provision

of an act as may be prescribed, made by a municipal council, municipal planning authority, planning board, other local board, conservation authority, minister of the crown or ministry, board, commission or agency of the government of Ontario, including the Ontario Municipal Board, or made by such other persons or bodies as may be prescribed that relates to a growth plan area"—here's the key word—"shall conform with the growth plan that applies to that growth plan area."

It's this centralized approach: Only Dalton and his duly elected cabinet know best. It's the nanny state in a higher order of planning. It's important for those viewing tonight to understand that what they're doing is taking control away from local and regional planning boards and authorities. They're elected to make these sensitive planning decisions, and I would say this undermines their local authority and undermines their due regard. In fact, there are difficult decisions and somebody sitting in Toronto is going to be making all the decisions, not just in Durham, which it's my elected privilege to represent, but in all parts of Ontario where a planning area applies. Here's what section 6 says in amended form. This was amended as of the second reading on April 6:

"Contents of plan.

"6. A growth plan may contain"—the soft word, the ambiguous word "may"—

"(a) population projections and allocations;" in other words, they're going to tell you how many people you're getting,

"(b) an assessment and identification of priority growth areas, emerging growth areas and future growth areas, over specified time periods;

"(c) growth strategies for all or part of the growth plan area;

"(d) policies, goals and criteria in relation to,"

"(i) intensification and density...."

Key words: "intensification and density." What they're saying here in code language, for those viewing tonight, is that everyone should live on top of each other. Intensification is just more people on less land. That's what it is. Let's boil it down to what affects the quality of life. I think this really does come down to the local autonomy having a balance of intensification—I understand that—and also some control over the growth and rate of growth in their area.

I think of my riding. I think of Hampton, Orono, Burkton. I think of small towns like Inniskillin and Tyrone. These areas need to have infilling occurring, appropriate use that through the water and groundwater and private wells etc. can support growth. That should be allowed to occur. You don't need somebody sitting at Queen's Park on Bay Street to tell you what is appropriate. These duly elected people—I'm surprised they're not outraged, quite honestly.

Under section 6(d):

"(iii) expansions and amendments to the boundaries of areas of settlement,

"(iv) the location of industry and commerce,



“(v) the protection of sensitive and significant lands, including agricultural lands, and water resources,

“(vi) non-renewable resources...

“(vii) infrastructure development and the location of infrastructure and institutions.”

That's fine, and I hope the minister will come through with the \$30 billion they promised to build or rebuild infrastructure.

I would just go on:

“(ix) municipal waste management planning,

“(x) the co-ordination of planning and development...

“(xi) growth-related capital spending and financing,”

“(xii) affordable housing,

“(xiii) community design,

“(xiv) specified actions to be taken by municipalities to implement or achieve the ... goals.”

This is where they're actually telling them, in (xiv), what to do, where their capital investment has to be to meet the goals and criteria of the minister and cabinet.

This is the process with the orders in council where the decisions will be made that build this great province, that were normally made by elected local and regional council authorities.

When I was reading in preparation for my limited time here this afternoon—this is a critical commentary—Bill 136 was brought in to complement the Greenbelt Act, which I will speak about in a minute as well. It sets out the rules regarding growth plans to curb urban sprawl. No one would have agreement. There are provincial policy statements and objectives that have guided and navigated municipal planners and others, with more autonomy at the same time. This bill is similar to our Smart Growth plan; in fact, our government had extensive consultations on developing a Smart Growth plan. But what's different here is the restrictive nature of Bill 136. It's the centralization of power through the minister, through cabinet and through the secrecy of that process that's most troubling, while exempting the authority of local and regional mayors.

I think of Mayor John Gray in Oshawa, Marilyn Pearce in Port Perry and John Mutton in Clarington. These people take seriously their responsibilities, and I am sure they know exactly where the infrastructure of the municipality is sufficient to support some growth and where other areas of the municipality are not, without investments in infrastructure such as water and sewer, which is important.

What are other stakeholders saying? It might be important to listen. I know the Minister of Agriculture is here. What did Ron Bonnett say? “The OFA has concerns that this may be the equivalent of expropriation without compensation.” They are also concerned that they have lost land value while agreeing with the principle of preserving farmland.

“The presumption in the discussion paper that farmers should be responsible for the provision of open spaces and recreational opportunities for urban residents of the GTA is totally unacceptable.” This is from the OFA's response to the Golden Horseshoe greenbelt.

It has been said earlier that there are three or four bills: the Planning Act reforms, the planning policy statements, Bill 136, which is the infrastructure piece, and Bill 135, which was the greenbelt piece. They're all kind of lumped together, and unless you're basically a Bay Street lawyer, most of them are struggling to find some way of dealing with this.

I'm going to acknowledge that I did have the privilege of meeting with ministry staff today, and I brought to their attention several critical issues. This meeting was arranged through our leader, John Tory, who wants this fair and reasonable process, along with our critic Tim Hudak. I want to pay respect to the government, because what we were questioning fundamentally was the greenbelt legislation, Bill 135. We called this agronomy or soil science or political science. We were saying, where was the substance for the greenbelt plan, which is the backbone of this whole planning exercise of Bill 135 and Bill 136?

#### 1740

I tend to work co-operatively with my councils and the regional council, so it's important that I represent their views without any filter. Unfiltered, I'm going to share a couple of letters here that have been written by the director of planning. These aren't my words. I will file them with the Clerk for appropriate reference for the future. This is written by David Crome, who is the director of planning services for the department in Clarington. This is dated March 2 and it's in response to the greenbelt, municipality of Clarington.

I'm going to read pretty selectively: “A preliminary look at an enlarged copy of the greenbelt map clearly indicates that the northwest portion of Bowmanville urban area, what we informally call the north Brookhill neighbourhood, is within the limits of the greenbelt. These lands are currently designated for further urban residential on the Clarington official plan.” There we have a conflict at one of the boundaries. I was asking the ministry how they're going to resolve these conflicts. Which takes precedence: the municipal, after the public hearing process and due notice process? They've had the hearings and they've got this conflict at the northwest boundary.

He goes on to say, “As you recall, Clarington staff suggested that the lands identified as provincially significant Maple Grove wetland complex, including these within the Bowmanville urban area, be included in the greenbelt.” So they're asking for some changes. “At the time of the request, you stated that, ‘The greenbelt will not include any lands within a designated urban area.’” He goes on to say—this is the director of planning, a non-partisan person—“I assume that the inclusion of this portion of Bowmanville urban area is a drafting error and can be rectified. Please advise how and when this error will be corrected.” That's a fair question. “It is important to resolve this matter immediately, as the municipality of Clarington has issued a request for proposal to prepare a secondary plan for these lands to the south.”

He goes on to say, "Clarington has had a limited chance to review the mapping"—the consultation they speak of; limited chance—"greenbelt and enabling legislation to date. Within the next week or so, it is anticipated that we will have had the opportunity needed to review these documents in detail and there may be other areas that we may need to discuss."

Basically what I was trying to do was bring voice to the municipality of Clarington, and all the municipal leaders I've spoken to, to make sure their concerns are being addressed.

This morning they were having a meeting at Clarington council. I wish I had been able to attend. I enjoy attending and listening at their meetings, and not particularly being engaged other than taking the minutes and trying to work with them co-operatively.

He goes on, "Our primary concerns with the greenbelt are as follows: Inclusion of the northwest portion of Bowmanville in the greenbelt"—we've just spoken of that. "We are in the midst of a neighbourhood study for this area that would like to see corrected as soon as possible the amendment made in committee that requires municipalities to complete their comprehensive review to implement the greenbelt within three years."

He goes on to say—this is written by David Crome—"Although I don't think this is a problem for us, five years would be preferable for this review, particularly since we are not receiving funding to assist with implementations as recommended by the Greenbelt Task Force."

There we have it: The Greenbelt Task Force recommended all these studies and technical reviews that had to be undertaken by the planning; there is no money for them. It's the downloading effect of the Liberal action of planning, downloading this function without any offsetting compensation.

They go on to say, "Lastly, there will be a greenbelt trust with funds for public acquisition in the greenbelt." I asked about this. Apparently they all looked around and there was no response. It's been speculated, but to date, no response.

"CLOCA," the Central Lake Ontario Conservation Authority, "and others have been talking about the possibility of using greenbelt funds to acquire portions of the Lake Iroquois shoreline beach, particularly the Black-Farewell and Maple Grove wetlands. We would really appreciate some help to see these funds come to Clarington."

I asked about that. I said that under the Oak Ridges moraine, which was our legislation, after much consultation, there was an Oak Ridges moraine trust fund set up, which helped with land acquisition and other measures to encourage private land to go into public ownership without expropriation without compensation. Apparently they have appointed a greenbelt council; I think our critic, Tim Hudak, brought it up today. There are nine members on this council. I would like to know who is representing Clarington's interests, to make sure we get a fair share of

what some would call the deficit issue, the gap; we would want no more or no less.

This becomes a little technical, because when the province controls the amount of development that occurs—you would know this, Mr. Speaker, having served on council yourself—they actually control the revenue for the municipality, because if you have a box or a line around your municipal area like Toronto does, your assessment revenue is basically frozen. In Toronto we see the response to that: Everybody is building up now. The only way they can build on the revenue side is to build up: more condos, more high-rise, more intensification. I think there is a subtlety here, almost like a conspiracy, where they are trying to force people to live on top of one another.

Coming from a rich area with a high quality of life, I suspect many members, especially those from northern Ontario, appreciate that we don't all live in the same cookie-cutter imagination of some of these intensification planning theorists. I remember, some years ago at university, taking a course in urban planning. It was called Christaller's central place theory. In that planning activity they described how Europe developed concentrically, around a centre—a central place theory. Transit and other issues to service intensively developed areas were worked out concentrically. In Ontario, and in much of North America, we are developed linearly, along the 401, along the 400, along the 404, along many of the transportation arteries. That's the reality. Until the infrastructure, like public transit, is put in place—

I can only say, as I go through Bill 136, that there are parts I want to be on the record as agreeing with. We need to make sure that urban sprawl doesn't take over all the beautiful countryside that is valuable for other uses, like agriculture—environmentally sensitive areas such as the Oak Ridges moraine, which is in my area as well as that of the member from Oshawa, the former Minister of Natural Resources, who has the greatest respect for outdoor life and is well regarded, not just in Durham but, I would say, across Ontario, and wants to share that beauty. We want to be hosts for naturalists and for persons who want to appreciate. Although we're part of the GTA, we have this wonderful countryside with creeks and valleys.

There are other areas I want to put on the record in the very few minutes I have. Oshawa Sand and Gravel is a company that has been operating on 20 acres for a number of years. They have an appeal in themselves. Orono's downtown business improvement association has expressed concerns, as have Brian Wallace/Davies Howe partners, a family-owned, 115-acre farm that is now designated as countryside within the greenbelt. The family has been paying taxes for 35 years, and now they have basically been expropriated.

Nothing in legislative format is perfect; I understand that. I understand they are trying to deal with sprawl. What is most surprising—in fact it's quite depressing—is that they've centralized this. If you listened to the explanatory notes I made in my opening remarks, they've



centralized to the minister, and there is really no appeal here either. They are overruling all planning authorities that have developed in Ontario over the last 50-plus years. Policy statements could have addressed much of this, but it's the central notion that only Dalton and his cabinet know best. That's troubling.

We live in a free and democratic state, and what I see is more centralization. I see it in health, I see it in energy, I see it in education, where the minister is now interfering with the authority of duly elected boards to negotiate with their teachers. This troubles me. This whole idea of the centralization of authority is problematic. One size fits all: That's not how Ontario becomes a great place to live and raise your family, and develops a diverse culture and a diverse economy. This bill is just symptomatic of a deep-rooted problem; namely, that they have the answers to all of the questions, whether we like it or not.

1750

**The Deputy Speaker:** Questions and comments?

**Mr. Prue:** I listened to the member for Durham, as I always do, with some considerable intent, and I was quite surprised at his opening statement, where he talked about how this is just a prescription for the building of condominiums, for people living one on top of the other. I have to tell you that it is much more extensive infill than that.

In this city alone, one can see stacked townhomes. This is part of the plan for Regent Park. There are going to be far more people living in those nine square blocks than there are today. There's row housing, which has been spectacularly successful in some of the downtown core. There are factory conversions. If you go to King Street West, you'll see exactly what should be done: taking old factories and, instead of razing them to the ground, one in fact guts them and fixes them, and people move into these loft apartments that are spectacular. There are lineups of people trying to get into them.

We also have, unfortunately, in this town and I'm sure throughout Ontario, many of the glebe properties that are owned by the churches. In some cases, where the churches no longer have sustaining populations, the churches are being sold. The churches themselves are being changed, or apartments, condominiums and seniors' residences are being built on many of the lands that were once occupied by the churches.

There are many, many ways to infill, and in mature places like the larger cities in Ontario, that is in fact what needs to be done. I make no apologies for it. If people want to live in a condominium, they should be allowed to, but there are also all of the other options that are available for infill. It is not just condominium-building.

Quite frankly, I am excited by the possibility of infill, because I want to do away with a great many problems that are associated with sprawl. It's something we've got to start thinking about in different ways, and any of these will work.

**Mrs. Liz Sandals (Guelph-Wellington):** I'm delighted to be able to speak to Bill 136, Places to Grow. If, as I do, you come from Guelph-Wellington, this is a very

important bill. We're just outside the greenbelt. People are very concerned about what will happen if growth jumps the greenbelt, and this is the bill that puts our house in order.

The member from Durham was speaking in terms of, wasn't it awful that the province was going to take some control and some leadership in this matter? I would like to disagree with him. In fact, this is exactly what is necessary. If we are going to have sensible growth, the province must take some leadership in this matter and decide where the agricultural areas are to be protected and where the areas are in which we have urban growth.

I must say I was fortunate a few weeks ago to be at a project which in some ways encapsulated just exactly what we have to do. We were at a project where affordable housing units are under construction. It was a very exciting project. It includes taking the old bus barns in Guelph, the old bus garage—this would be, by definition, a brownfield redevelopment, a wonderful old limestone garage—and turning that into affordable housing, which is desperately needed in our community. So in this one project we had brownfield redevelopment, intensification of the use of the land in the downtown core, and the provision of affordable housing, which is very, very necessary in our community.

That's the sort of growth we are encouraging under Places to Grow, and I'm very supportive of this bill.

**Mr. Ted Arnott (Waterloo-Wellington):** I'm pleased to have a chance to briefly respond to my colleague the member for Durham and his presentation this afternoon on Bill 136, An Act respecting the establishment of growth plan areas and growth plans.

I thought the member, as always, gave a very thoughtful presentation. His ideas are always well considered and thoughtfully presented in the Legislature, and we all appreciate them, certainly on our side of the House.

He noted quite rightly, I think, that this bill represents a substantial intrusion into the decision-making authority of local municipal councils. Having been privileged to represent the riding of Wellington for nine years and the riding of Waterloo-Wellington for six years after that—believe it or not, 15 years, Mr. Speaker—I've always found that the local councils in my riding in particular have done a great job of administering the responsibilities they are charged to undertake through the Municipal Act and other relevant legislation. Given that observation over the years, I find it rather strange that the government would feel it is necessary, with this act, to do what they plan to do: "The council of a municipality, a municipal planning authority or a planning board that has jurisdiction in an area to which a growth plan applies"—"growth plan" as defined by the province—"shall amend its official plan to conform with the growth plan." It is a direct intrusion, I would argue, into the decision-making authority and autonomy of our local councils. I would question very much if communities like Wellington North, Guelph-Eramosa township, Centre Wellington, Mapleton, which I have been privileged to represent over the years, would need this provincial intrusion in terms of their decision-making.

I know this is third reading of the bill, and most likely the bill will pass in its current form, but I want to offer that observation to the House once again and to compliment the member for Durham for his presentation this afternoon.

**Mr. Levac:** Thank you for the opportunity to make a brief comment about this particular bill, the member's comments, and other observations made as well.

It's unfortunate that this is being characterized as anything other than smart, intelligent planning. For the first time in 30 years, we are looking at a province that understands that we have some massive growth and development problems that need to be addressed because the problems will get worse if we do not act. They are getting worse as we speak. We need to take this type of action in order for us to understand the scope of the problem. The size of this problem is far, far larger than any one municipality itself. That's why this is an important plan.

Places to Grow is the companion to the almost two million acres that have been set aside, which everybody agrees needed to be done in the province. It's an advancement in provincial politics that we haven't seen. What we're talking about now is Places to Grow, which in my riding affects us immensely. We are going to be the centre of an awful lot of opportunity when we pull together and work with the province.

They've made it clear that some of our municipalities are doing wonderful jobs inside their own municipality, but it can't be talked about in isolation. We've got to be able to do that intelligent planning across the province. By doing what we're doing in this legislation, we've gone through and asked all of the experts, including the minister's staff, to take a look at where we should be doing this growth and what we should be doing inside it.

I want to compliment both of my city councils for their acceptance of this reality, and not only for that, but more importantly for the leadership they've been showing in the brownfield figures. What's happening in brownfields is extremely important, because we're going to hit that 40% target of infill by making use of those pieces of dirt that have been sitting empty for 30 and 40 years. This is fantastic planning. I want to compliment, both at the municipal level and at the ministry level, the work we're going for in Places to Grow. We need to support this legislation.

**The Deputy Speaker:** The member for Durham has up to two minutes to reply.

**Mr. O'Toole:** I want to thank the member from East York, who spoke about having more condos. In an appropriate time and place there's no question that they are the right thing. If you're out of space, you have to go up.

The member from Guelph-Wellington talked about being just outside the greenbelt. In fact, that's one of my serious concerns: this leapfrogging effect into Northumberland and into areas that are not covered by the greenbelt. She's justified to be concerned about the short-term plan we really have here about leapfrogging.

The member from Waterloo-Wellington had it right: It's about municipal autonomy. He has served here for 15 years, and I think some of the newer members should listen to his wise experience and pay careful attention.

The member from Brant talked about smart planning. We had a plan similar to this; it wasn't quite as dogmatic. Ours was more consultative; it was called Smart Growth. Yours is dictatorial. We understand that.

If I read the Toronto Star, June 1 edition—it's called "A greenbelt besieged"—it says they're already chipping away at the plan. "Now Durham region politicians have endorsed Pickering's move," which I'll outline here. Mayor Ryan "argues that Pickering isn't alone. Other municipalities throughout the greater Toronto area are angry at how the greenbelt was mapped out, he says." These are his words, not mine.

The writer of the article says, "No doubt Ontario will be fighting greenbelt battles for years to come." It's this centralized planning that only the Liberals know. It's this insatiable self-importance that I see as the crystal clear difficulty with this bill. Recognize the autonomy of local councils. If you go back into this, the planning principles, the planning policies—there's been an argument for some time whether you should "be consistent with" or "have regard to" provincial policy statements. We tried to find a balance, recognizing municipal authority while giving people respect for freedom and democracy, which the Liberals deny them.

**The Deputy Speaker:** It being 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1801.*

*Evening meeting reported in volume B.*



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**Monday 6 June 2005**

**Lundi 6 juin 2005**

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 6 June 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 6 juin 2005

*The House met at 1845.*

## ORDERS OF THE DAY

### TRANSPORTATION STATUTE LAW AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSPORT

Resuming the debate adjourned on April 25, 2005, on the motion for second reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / *Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.*

**The Acting Speaker (Mr. Michael Prue):** It's my understanding that on the last day of debate Mr. Bisson, the member from Timmins–James Bay, had the floor, but he is not here to resume debate. Therefore, it will rotate in the normal manner. Further debate?

**Mr. Robert W. Runciman (Leeds–Grenville):** It's regrettable that the government members do not want to participate in this debate, because we think this is important legislation to be dealt with.

I think it's important as well that I put on the record the fact that our transportation critic, Mr. Wilson, can't be here this evening because we were unaware of what legislation was going to be called until perhaps an hour or so ago. That is unfortunate with respect to the whole issue surrounding democratic renewal and the role of opposition members in this place and the fact that we have to, in some respects, operate from the seat of our pants as opposition members in terms of dealing with legislation being called. We don't have control over the agenda. We hoped to be able to discuss these issues, and we did discuss them but, as I said, it was a couple of hours ago—less than two hours ago—when we were advised that this would be the first order of business.

This is an important piece of legislation in some respects. I want to indicate that Mr. Wilson, the member for—wait till I determine his riding; I want to conform to the rules of the House—Simcoe–Grey, our critic for the Ministry of Transportation, has indicated that in most respects, he is supportive of the legislation. We're also supportive of it going to committee for hearings during

the intersession, and I think the government has agreed to doing that.

But I want to put on the record Mr. Wilson's concerns as critic. They tend to centre on the elements related to taxis or limousines operating out of Pearson airport. I'm not sure what the section of the act is with respect to that. I'll ask some of the staff to try and determine what section of the act deals with the elements surrounding taxis and limousines at Pearson airport.

I think the critic, the member for Simcoe–Grey, Mr. Wilson, is concerned about the fact that this is making the Toronto taxicab operators, Co-op, Crown—what's the other? Mr. Speaker, you're a Torontonian; you would know for sure. There are three major taxi companies in the Toronto area and a great number of independents. They're very concerned about the restrictions placed on them with respect to picking up passengers at Pearson. I think the most offensive element of the legislation is restricting Toronto taxi drivers from picking up passengers at Pearson but, at the same time, if one of the limousine companies picks up people at Pearson to bring them into downtown Toronto or one of the environs, they are permitted under this legislation to pick up Torontonians or residents of the GTA.

## 1850

This is a strange double standard, where one group of companies or individuals is allowed to work in a two-way pattern, but when it comes to the Toronto cab companies, who are under pretty serious restrictions now—I think they been maltreated in many ways by the taxi committee, I think it is, of Toronto city council. I'm not sure what it is; the Toronto taxicab commission, or whatever it is called. Who's the guy who has been the chairman of it for many years? You would know, Mr. Speaker; you served on council with him. He's been a member. He makes signs. Moscoe. Howard Moscoe. I think that Mr. Moscoe, in terms of the decisions made by the commission in the generation of licences, has made operating a taxicab or a taxi business in Toronto a very difficult proposition, a business with a very modest margin, if any.

If you get into a cab—and we all have to get into cabs in this city as part of our role as members of the provincial Legislature—and talk to a cab driver or a cab owner about this, an independent, they will tell you how tough it is because of the proliferation of licences and the proliferation of cabs in the city of Toronto and how difficult it is to make a living. Some of these people are working 14, 16, 18 hours a day, six days a week—some seven days a week. That's how difficult it is for many of

these people. A lot of them are immigrants, new Canadians, people who are trying to make their way in this country, to establish themselves, buy a home, raise a family and become productive citizens of this great country. And they're finding it extremely difficult as a result of decisions taken by the taxi commission, which have obviously been supported to some degree by the city council.

The decisions that are taken with this legislation, Bill 169, only compound the challenges that the taxi industry in Toronto is facing. Now, as well as the challenges in over-licensing and the significant over-proliferation of cabs in the city, they're being told through this legislation, "OK, you can pick somebody up at the corner of Charles and Bay and you can take them to Pearson airport. But, by golly, we'll charge you. You might lose your licence." If you happen to see someone waving at the curb wanting transportation into downtown Toronto, your natural inclination is to pick that person up. That's your job; that's the business you're in. But the government of Ontario, the Liberal government, the McGuinty government, is now saying, "You can't do that. You're breaking the law. You're not allowed. We have given a monopoly to a certain segment of the industry. They're the only folks who can do that. Oh, by the way, they can also pick up people in the city of Toronto. We won't let you pick up people at the airport, but they can pick up people at the airport and they can pick up people in the city of Toronto." Why is that happening? What's the explanation for that?

I want to tell you, there was an article in one of the media publications a while ago where the limousine operators—they have an umbrella organization; I do not know the name of that organization. The news article indicated that this umbrella organization for limousine operators that operated out of Pearson airport had a fundraiser for the Liberal Party of Ontario and they raised \$200,000 for the Liberal Party of Ontario. Premier McGuinty and the Minister of Transportation, Mr. Takhar, were also present at this lavish "Here's a big buck for you, thank you very much." This is really symptomatic, indicative of the way this government operates.

We saw it with respect to the construction industry in Bill 144, where the Minister of Labour introduced legislation restoring card-based certification in the construction labour union sector. What's the analogy here? How can I draw the analogy with Bill 169? In the midst of public hearings on Bill 144, the construction labour unions hold a thank-you-Dalton-McGuinty dinner: caviar, champagne, the whole nine yards. What do they do? They present the Liberal government—

**Hon. Jim Watson (Minister of Consumer and Business Services):** No, that's your fundraiser.

**Mr. Runciman:** I don't know if Minister Watson was present at this. Maybe he's feeling apologetic. He may get up and express his apologies to the public of Ontario this evening, if indeed he did attend this function. I know there was quite a cadre of ministers of the government. I know that the Premier was there. I don't have a list in

front of me, but I'm assuming the Minister of Labour was there.

*Interjection.*

**The Acting Speaker:** Order, please. Order.

**Mr. Runciman:** Thank you, Mr. Speaker.

The bottom line was, the construction unions, in the middle of public hearings on legislation that would benefit them to a significant degree, gave over a quarter of a million dollars to the Liberal Party of Ontario. The fundraiser was called Thank You, Thank You, Thank You to the Liberal Party of Ontario and Premier Dalton McGuinty.

If the Progressive Conservative Party had done something like that, that would be front-page headlines in the Toronto Star, but there is a bit of a double standard. We can gripe about this. It is a mug's game. I know it's a mug's game to complain about media coverage. Clearly, when you look at that situation, there is a double standard. If we had done something like that, we would have been raked over the coals, torn to shreds, but the Liberals, in the middle of legislation, before public hearings, get a quarter of a million dollars. What a thank you. You talk about a big, fat thank you, that was it: a quarter-of-a-million-dollar thank you.

We go back to 169; Mr. Speaker, which I know you want me to do, and I respect that. This is a similar kind of situation. It has received virtually no media coverage. If it hadn't been for that one media article, we wouldn't know about it in this Legislature. I suppose we might know when we get the Elections Ontario annual report. We might be able to glean from that what the implications of this are, but it will be long after the fact. It will be stale news. If we have any hope of gaining public interest or attention for this kind of thing, it will be extremely difficult. That's obviously something the government counts on, and they're supported by their friends who obviously make editorial decisions on what's news and what's not news.

I have to, once again, point this out: a quarter of a million dollars from the construction unions for giving them card-based certification, and the limousine operators giving \$200,000 to the McGuinty Liberal government while we have legislation in front of us. Why couldn't you, as members, especially veteran members of the Legislature—and I don't want to pick on anyone. I know there is one veteran in here anyway, who has been around a while, who should be offended by this. These things, to some degree, happen in politics. There are two examples, I say to the Minister of Consumer and Business Services, in the middle of legislation before this House. We haven't even sent this bill out to committee. It's going to go to committee, and you're going to hear a lot more about this contribution during committee hearings. We should call these people before the committee. I would hope that our subcommittee representatives will insist that these major contributors come before the committee and explain why, after this bill is tabled—after this bill is tabled; let's get that straight—"We're not going to give you the money until you do your part. Your



part is tabling legislation that's going to benefit us to a very significant degree." That applies to Bill 169, which we're debating this evening, and it applies to Bill 144.

**1900**

Those monies that flowed into the coffers of the Liberal Party of Ontario didn't flow until you kept your part of the bargain, your part of the promise. It's not like an envelope in a restaurant—I will indicate that it's not quite at that level—but this is very, very odoriferous. If the Liberals want to participate in this debate, let them stand up and indicate where the Progressive Conservative government that served over the past eight and half years did something comparable. I do not recall. If that's the case, I will get up in this place and apologize, but I do not recall our ever doing something like this.

This is so shabby, so shameful. This is really the sort of thing that casts shame upon us all. The message this sends out, whether it's right or not—I don't want to suggest that you folks are somewhat like your federal colleagues, but the reality is, here we have the perception—

*Interjection.*

**Mr. Runciman:** With two pieces of Liberal legislation, I say to our chief whip, where after it's tabled, in one instance you get \$200,000 and in another instance you get a quarter of million dollars, what does that say to you? If the Minister of Agriculture were sitting over here, what would that say to him? I know he'd be one of the first on his feet to say, "That was a payoff."

The construction union—naïvely, perhaps—even sent out a brochure. They sent out a big invitation, a glossy brochure saying, "Thank you, thank you, thank you."

**Mr. Richard Patten (Ottawa Centre):** We don't work that way. You think that way.

**Mr. Runciman:** I can't believe this Ottawa member. He's a very experienced member here. He knows from his own experience that this is unseemly at best. You should be upset, as someone who believes in the dignity of this place and in ensuring the perception that everything is above board. As a government, you and your colleagues would want, I would think, from a public perception point of view if nothing else, to be seen as operating above board. You've soiled your own reputation. You've been fortunate that the media is not paying attention—your friends in the fourth estate. Again, I express my frustration at the fact that they're not looking at these kinds of issues. I don't have an explanation for that other than there's a hangover from our days in government and the fact that we apparently don't have people who are committed to taking a serious look at indiscretions, which is too mild a word with respect to the activities of this government.

I want to put one other thing on the record. I'm glad we have a number of backbenchers here from the Liberal government. We have two members of the executive council. One of the reasons that we want to debate this legislation, even though we're prepared—we support this legislation generally, with our critic's one exception, which we share, with respect to the limousine and taxi

drivers and the unseemly activities of the government with respect to how that development occurred.

Why we are debating this legislation and other pieces of legislation, for the edification of backbenchers—and I hope they're listening, because they have a caucus meeting tomorrow morning. Our main concern is focused—

*Interjection.*

**Mr. Runciman:** Our main concern, Mr. Patten, if you'd like to listen to this, is around the adoption bill, Bill 183. We've asked for some changes to that legislation, and the government has not responded adequately. We've also said, "Look, you brought in almost 40 pages of amendments." We had more of them today. We're saying, "Carry over this legislation. Get your act together and deal with the legislation in the fall."

We've waited 50 or 60 years for this. What's the problem? We can move on with other legislation. We can get on with the business of the House and get back to our ridings in a reasonable period of time to do what we want to do in our constituencies. For some reason—I don't know. Someone's threatened to slash their wrists or something. I'm not sure what's going on here, but it doesn't make any sense to me.

This bill—you're clearly not ready. You've tabled so many amendments to this legislation. You clearly don't have your act together. I encourage you, as backbenchers, at your caucus meeting tomorrow, to bring some common sense to the discussions and the deliberations here. Take the summer to think this over. Get your act together. Bring it back from a committee report in the fall, and then we'll deal with third reading in the fall. That makes good sense to me, and I hope the members opposite will consider that.

**The Acting Speaker:** Questions and comments?

**Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** In reference to my colleague from Leeds-Grenville, our bill does not seek to change the municipal licence regime for taxis. All we're looking for at the present time is the safety and security of passengers who are taking a taxi, because, let me tell you, at the present time, all those taxis waiting at the airport—again, yesterday when I got off the plane, this guy came in when I had just got out of the first door and approached me to see if I needed a taxi. Those people are not paying a penny to pick up people at the airport. There's no guarantee that those people have insurance covering passengers, and this is what we are after. All we are doing at the present time is giving the necessary tools to all the municipalities, not only Toronto, but Toronto, Ottawa—any airport that we have in Ontario. It would give the necessary tools to stop those people, because we know that too often they're paying a lot of money to be there. Every time they pick up passengers, they have to pay a fee.

There will also be committee hearings on that. Later this year, we will hold hearings across the province to listen to what people have to say about the bill. The bill has five components at the present time, which are very important. The components are to promote public transit,

which will increase ridership and relieve traffic congestion; to ensure a smoother flow of traffic to relieve congestion; to improve road safety for motorists; to improve road safety for workers, children and pedestrians; and the last item is illegal taxi operators. This is part of the bill.

In reference to the member for Leeds–Grenville, it is very clear that it is up to the municipalities.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to respond tonight to my colleague from Leeds–Grenville on his opening comments tonight. To begin with, I want to say to the House and to the citizens of the province that tonight we're debating second reading of Bill 169. As far as I know, we've only had the leadoff speeches until this point, because this is our second day.

I can tell you that, once again, I'm extremely disappointed that the government members, although they're willing to call this bill tonight, are not willing to debate this bill. That's what we've seen throughout the last 18 months here in this House. The government wants to push a piece of legislation through instead of time-allocating, which they will do in a lot of bills. Instead of time-allocating, what we're doing here tonight is just not debating the bill. I think that's a sad day for this Legislature when no one wants to stand up on the government side and speak—

1910

**Hon. Jim Watson:** He just did.

**Mr. Dunlop:** I look forward to the next speaker being a government member speaking for 20 minutes in this House. It would be nice to see that actually happen on second reading debate or on third reading debate. You just don't do it. That's the problem. You do not debate legislation in this House, and that's a sad day. That's all I'm saying.

**Hon. Mr. Watson:** We've had about four hours of debate on this.

**Mr. Dunlop:** No, we haven't. On the second reading we've had not even three hours of debate. When you were in opposition, you wanted to debate every bill. That's the problem. Now when you're in government, you don't even want to stand up and debate anything, and I think that's very sad.

We're willing to debate the bill. We're going to be here until midnight tonight, guys. Get ready. I know you want to be. That's the way it will be tonight because, as Mr. Runciman said, there are a number of issues that we have with the government, concerns about the things they're trying to force through. We will be debating Bill 169 until midnight tonight, so look forward and have a nice evening.

**Mr. Phil McNeely (Ottawa–Orléans):** This bill is a very important bill in many ways. We have to use our highways better, and this is one of the bills that will make our highways safer and better. The ability to create high-occupancy lanes is extremely important. We have to get the high-occupancy vehicles special rights on our highways. It's unfortunate that in the last 40 years or so we've gone from having three or four people per car

commuting in the morning down to slightly over one person per car. That is just not a proper way of doing it.

As a consulting engineer, this is one of the issues that was coming forward, of all the transportation demand management issues, where we could use our infrastructure much better. This legislation will permit us to do that. It will give the government the authority to do that and we'll move ahead.

I have a niece who works in this field. She's an engineer with a consulting firm from Ottawa. That's what they're looking at all the time: How do we make our infrastructure more useful? One of the things is, we have to get more than 1.1 or 1.2 people in vehicles in the morning. This will certainly help.

Anyone who drives our highways when they're under construction will know the safety factor in going through these construction zones. We have to be more careful. It has to be done. I'm glad to see that is part of the direction in which this legislation is going as well. We're going to raise the traffic fines when people are going through these areas marked for safety.

There are many parts of this bill that are excellent. I'm glad to see it moving forward. It will give the government lots more tools to provide more capacity with the existing infrastructure. That's what this is all about today. We have to make sure that we use our infrastructure better, because we just don't have the dollars to construct sufficient infrastructure.

**Mr. Norman W. Sterling (Lanark–Carleton):** This bill contains many of the initiatives that we started back in the government two, three or four years ago with regard to, for instance, doubling fines for speeders in construction zones. I'm glad the government has picked up the good ideas from the former Mike Harris and Ernie Eves government and is carrying those forward, because we had a very, very proud record in government during our period of time.

I think one of the greatest attributes of the government was when Al Palladini was the Minister of Transportation and brought forward legislation dealing with trucks. We had a lot of problems with trucks, coming into 1995 when we took over the government. Mr. Palladini brought forward legislation in this Legislature to increase liability and we increased the inspections on the road. As a result, we haven't heard about flying wheels or a lot of debris causing accidents and deaths on our highways.

The other thing the former government did in terms of highway safety is, we put more money per year into construction than any government had ever done before and has done since; even this government this year. Last year was a very, very small year in construction in Ontario on our highways. But in doing that, by creating more capacity, you in fact create safer roads, because you allow car drivers—vehicles—to pass, to be able to operate on our highways more safely. So we're very, very proud of our record as a government, and we'll continue to look very, very progressively at this piece of legislation.



**The Acting Speaker:** The member from Leeds–Grenville has two minutes in which to respond.

**Mr. Runciman:** I appreciate the contributions of all members.

I found it interesting the member from Glengarry–Prescott–Russell talked about the limos picking up people at the airport and the Toronto taxis not contributing a penny, I think he said. It's my understanding these limos are based in Mississauga, but they're allowed to pick up people in the city of Toronto. They're not, to my understanding, paying a penny of licence fees or taxes to the city of Toronto. So I would ask the member, how do you jibe that? How does that give you justification for what you're doing to these hard-working, in many respects new Canadians, who are just trying to make a living and support their families?

No one on the Liberal side who responded talked about the \$200,000 contribution they received from these same limo companies after they had tabled the legislation. Is no one disturbed by this? Is no one upset? Does no one recognize the perception of payoff that this suggests? We have raised the \$250,000 contribution by construction unions after they tabled Bill 144. I think both of these should be extremely disturbing to members of the Liberal Party of Ontario.

The Minister of Consumer and Commercial Relations was complaining about the debate. In fact, the Liberal members are not debating the legislation. He says we're wasting time by debating. This is the government that professes to believe in democratic renewal, and the minister won't even let me debate without heckling me. He won't even let me make a contribution here. Shameful, shameful, shameful.

**The Acting Speaker:** Before I call for further debate, please, it is starting to get a little raucous in here. Mr. Minister, please. Members of the opposition, please. I'm not going to name anybody yet, but please don't keep it up. Further debate?

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** Excuse me while I drop my copious notes here, Mr. Speaker.

I find it interesting and, to coin a phrase of the government which seems to be in vogue for them at this time, I find it a bit rich. They like those words: "a bit rich." I find it a bit rich—

*Interjection.*

**The Acting Speaker:** Order, please.

**Mr. Yakabuski:** I find it a bit rich that my colleague from Leeds–Grenville would be heckled by the Minister of Consumer and Business Services on a transportation bill.

I must say, on this point, I agree with the minister. You see, the minister is on record now; he was in the Ottawa Citizen, which is his home paper. They weren't doing a story about his fancy new apartment or house or whatever he had bought and decorated this time, no, sir; they were doing a story on his opposition—do you like that word, "opposition?" I want you to get used to that

word, because some day you're going to know a lot more about it—to the speed limits in the province of Ontario.

Now, interestingly enough—

*Interjection.*

**The Acting Speaker:** Please, the minister of consumer affairs, you are heckling to excess, and I would ask you to please stop.

**Mr. Yakabuski:** I'm only trying to make a point here.

**The Acting Speaker:** You're supposed to be sitting down. Thank you.

We'll get back to a civilized debate. The member has the floor.

**Mr. Yakabuski:** I would certainly hope so.

Would it be possible to get a couple of glasses of water here too, please? I'm sorry; I could have picked those up on the way in, but I was in a bit of a rush. No pun intended. I was in a bit of a rush.

The minister is speaking out about a bill that talks about increasing fines—thank you very much, Laura—for speeding infractions, so we will have the same fine attached for driving 35 kilometres over the speed limit—I don't know who would ever drive that much over the speed limit—as driving between 35 and 50 kilometres per hour over.

1920

I must say that I am very supportive of the minister's bill—not necessarily this bill here; we'll talk about that a little later. The Minister of Consumer and Business Services has not brought legislation, nor has he proposed a private member's bill, but he is looking at the possibility of increasing the speed limits on 400-series highways. I can tell you, Minister, I'll be there with you on that one. I think that there is good reason to be talking about that and having a fair debate. Unfortunately—

*Interjection.*

**Mr. Yakabuski:** You can only get so many private members' bills through here. The member for Brant will know that he's doing pretty well on private members' bills. We're pleased and very proud that his private member's bill, Bill 3, concerning a plan for anaphylaxis in schools throughout Ontario was unanimously supported in this House. I was pleased to work with the member for Brant on that, but I have to caution the member: I think he knows that you can't get every private member's bill through. Sometimes you have to take your victories and take your defeats as well.

*Interjection.*

**Mr. Yakabuski:** This government here is not going to be famously known for its treatment of opposition members, I can tell you that. We have seen egregious examples of poor treatment of opposition members in this House—not necessarily myself. I must say that, for the most part, people have been fair to me as a new member and as one who does not have a great deal of experience in the House here. They've been fair to me in allowing me to learn the ropes, but they've certainly been much harder on people like my colleague from Simcoe North, our whip, who has had to deal with a great deal of

government heckling when he's speaking, to be quite honest with you.

However, I think it is important that we talk about the matter at hand as well. The matter at hand tonight is, of course, Bill 169, interestingly enough, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters, by the Honourable Harinder Takhar, Minister of Transportation.

I wasn't surprised, because it's not something I could say I was surprised by, but it certainly got my interest when I listened to my colleague the member for Leeds—Grenville talk about portions of this bill that will give a guaranteed monopoly to a particular taxi or transportation service with regard to pickups—we'll be careful how we use that word—picking up fares at Pearson International Airport, and how the taxi drivers in Toronto would be excluded from being able to participate in that. Yet there is no way of ensuring that those same airport taxi drivers, the limo drivers—there's no way to protect the turf here in Toronto from their picking up fares and taking them to airport. Granted, it's a lot easier to police Pearson International Airport than it is to police metro Toronto with regard to who's picking up whom in their taxicab. That is certainly a concern.

Then, when I heard the mention of a significant sum of money—I hope I've got this correct, but I heard numbers like \$200,000, money raised and donated to the Liberal Party, post the introduction of this bill.

As I said, I've only been here since the last election, so my experience does not go back 28 years, as would that of the member for St. Catharines or the member for Lanark—Carleton. I suppose they've seen it all here in this Legislature. But I am very concerned as a relatively new member, and I would think that the people out there watching in TV land would be very concerned, if a government tables a particular piece of legislation that may be slanted in such a way—that's not a fair word, I suppose—or drafted in such a way that it may appear to favour one particular group over another—listen carefully here—and that particular group makes a significant financial contribution to the party that is responsible for tabling that bill.

We're going to bracket that off and we're going to border it there, and I really think the people out there should draw their own conclusions on whether they feel that is correct or incorrect. In light of what's been going on in Ottawa with the Gomery commission inquiry and the sponsorship scandal and monies allegedly being laundered on behalf of the federal Liberal Party, you would think that any provincial counterpart would want to be doubly—no, no, triply—careful. They would want to be triply careful that none of that kind of stuff could ever come back on them. So I'm very surprised to hear that in a certain way, because I do believe that the honourable members across the aisle would be cautious and careful that something like that might come back to bite them, so to speak, you know where. That's an issue that I think probably bears a little bit of investigation.

My colleague did talk about—and this is one that certainly concerns me with regard to Bill 144—significant contributions on the part of the construction workers' unions.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** You never liked the unions.

**Mr. Yakabuski:** Au contraire, Mr. Member from St. Catharines. I'm sorry, but I can't subscribe to or accept that statement at all.

Do you know what I don't like? I don't like inequality, and I don't like unfairness, and I don't like special favours, and I don't like behind-the-back, under-the-table deals. That's what I don't like. That's what I don't like, I say to the honourable member from St. Catharines, who has been here long enough to see just about everything, I am sure.

About \$194,000 in donations prior to the campaign for that particular construction union and, abracadabra, here we have magically appearing a bill which allows card-based certification to that union and that union alone. It makes me wonder. I don't know if it makes you wonder, Mr. Speaker. I'll bet it does. But it certainly makes me wonder, and I believe that it makes a lot of people out there wonder, just what is going on here.

**1930**

*Interjection.*

**Mr. Yakabuski:** I appreciate the reminder from the member for Brant. He is very good. He is the government whip, and he is very good at putting people back on the topic because he has to work with 70-odd members there—

**Mr. Dave Levac (Brant):** One hundred and three.

**Mr. Yakabuski:** Well, yes, he works with 103, but puts the whip to about 70 of them or so. I have never seen the whip over Premier's back yet, but I'm guessing around 70 or so, and that is a tough job. We have our whip here, the honourable member for Simcoe North, and that's not an easy job with 24 independent-minded people, so it is certainly not an easy job with 70-plus. So I commend the member there, and I appreciate his getting me back on topic, because I think it is very important to stay on topic when we're trying to inform the House and to assist in possibly improving legislation that may be before the House. I really do believe that, at the end of day, we all have that same goal and it is laudable. I appreciate the contributions of all members on all sides of House here today—

**Ms. Marilyn Churley (Toronto—Danforth):** Gone tomorrow.

**Mr. Yakabuski:** —from the past—some of them will be gone tomorrow. Some of them could be gone the minute a federal election is called, I say to the honourable member for Toronto—Danforth.

Having said that, I believe that we all have the same, if not very similar, goals. We want to do what we believe is best for the people in the province of Ontario. We may differ on how we're going to arrive at that result, but I think in general we share those same goals, and I think that is why we work and strive to join this venerable



group of only 103 in the entire province of Ontario. With a population approaching 12 million people, we are a privileged and honoured group, but we must take that privilege and accept it with a great deal of responsibility as well. One of those responsibilities, of course, is speaking to bills as they are debated, and I am arriving at that as we speak.

Now, 169 is a transportation bill. I think I may have said that. It is governing rates of speed; it is governing controls, signal devices, many different things. We don't have any problem with much of this stuff. I have some problems with the transportation ministry in general. There are items in this bill that I am going to get to if the clock doesn't run out on me. I do think it is probably running at a bit of an accelerated rate tonight. I'm noticing the clock is ticking very, very quickly.

With respect to transportation issues in my own riding of Renfrew–Nipissing–Pembroke, if I may digress for just a moment, we have been fighting long and hard for improvements to Highway 60. That's been going on some time and I have to credit my predecessor as well. The fight did not begin with me. I would be disingenuous to try to take credit for that. The battle has been going on for some time, but we have accelerated and raised the volume of that, if you will, because Highway 60 is in deplorable condition. I am quite thankful that after many attempts and conversations with the minister to make this point and get this point across, we are going to see some improvements to two of the most deteriorated sections of Highway 60 this year. We're pleased to see that, but there is so much more work to be done.

The highways in my riding and the highways in rural Ontario in general require an awful lot of work. We are going to continue to press those issues with the minister and the government, because there is no possible way that the highways are going to survive much longer in some parts of rural Ontario if massive rehabilitation is not part of the plan of this government. This government is not big on plans, or certainly not big on sticking with plans. It likes to talk about plans, but it's not real big on sticking with plans.

That brings me, quite frankly—I'm very, very concerned about the fact that one of the plans, or the apparent plans, of this government, is that they are not going to speak to bills that they table in this House on third reading debate. I'm not sure if they just want to get out for an early summer recess or if they're trying to avoid the heat—not just the heat of the day but the heat of the public and the media when it comes to the scrutiny of this government with regard to some significant issues that we're facing here in the province of Ontario.

With that, because the government will not debate, it leaves me with little option but to move adjournment of the debate. So I move adjournment of the debate, Mr. Speaker.

**The Acting Speaker:** The member from Renfrew–Nipissing–Pembroke has moved adjournment of the debate.

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the nays have it.

There being more than five members standing, call in the members. There will be a 30-minute bell.

*The division bells rang from 1936 to 2006.*

**The Acting Speaker:** The members will please take their seats.

All those in favour will please stand and remain standing.

All those opposed will please stand and remain standing to be counted.

**The Deputy Clerk (Ms. Deborah Deller):** The ayes are 7; the nays are 25.

**The Acting Speaker:** The motion is lost.

Mr. Yakabuski, you have the floor again.

**Mr. Yakabuski:** It wasn't quite as close as I thought it might be, but one of the reasons it wasn't as close is that the Minister of Community and Social Services came in for the vote, and that brings me to my next issue. One of the reasons we are having a problem working with the government to pass good legislation in this chamber right now is the obstinacy of the government on Bill 183. They won't look to improving this bill in a meaningful way. For that reason, I move adjournment of the House.

**The Acting Speaker:** Mr. Yakabuski has moved adjournment of the House.

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the nays have it.

There being five members standing, call in the members. There will be a 30-minute bell.

*The division bells rang from 2009 to 2039.*

**The Acting Speaker:** Order, please. Members will please take their seats.

Mr. Yakabuski has moved adjournment of the House.

All those in favour will please rise and remain standing to be counted. You may be seated.

All those opposed will please stand and remain standing to be counted. Please be seated.

**The Deputy Clerk:** The ayes are 7; the nays are 24.

**The Acting Speaker:** The motion is defeated.

Mr. Yakabuski, I believe you have the floor for 29 seconds.

**Mr. Yakabuski:** Not much time left, Mr. Speaker, but a little closer vote this time. Next time, we may have it. I'm going to have a little more time in the two-minute wrap-up to deal with the—well, we'll have some questions and comments here shortly, and I will have two minutes to wrap up.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me just say quickly how disappointed we all are to see that the leader of the Conservative caucus has absolutely no control whatsoever over his own members.

Let me suggest his resolution that read, “To conduct legislative proceedings in a way that reflects the values of all Ontarians....” So I'd ask the members of the Tory caucus who are here tonight, is this what you think reflects the values of Ontarians, that kind of lazy, “I'm

going to stand up and vote to close down debate," the same group that has a leader who suggests there is going to be a new decorum?

Hey, John Tory, talk to your own caucus. Have a look at your own backyard. Have a look at who you can't tell how to behave, how to dress properly, how to show up here and do some work for a change.

Here you have a bunch of Liberal MPPs. We'll be here until midnight if we're going to have proper debate in this House. No. Instead, we get 30-minute bells, a complete waste of time. Wasting taxpayers' money—how dare you? That's what I have to say to you.

To John Tory specifically, how dare you want to be the leader of a party you can't even control? How dare you suggest that we need decorum, and then this is what you've got? You need to talk to your own caucus members. You need to tell them, "Hey, yoo-hoo. I'm the new leader of the Conservatives. Give me a little bit of in-charge here."

You boys are an embarrassment to your own leader. I will tell you this: I can't wait until the next election. I can't wait until John Tory wants to walk around Ontario saying, "Look at me—new decorum." Hey, John, look at your own caucus. They're embarrassing you, big guy. You've got to do some homework before you come in this House. When you stand up and want new decorum, stand up at your own caucus. You tell them what it is that you want them to do and let's just see how many you've got along for the ride.

I've got a feeling, come the adoption bill, that John Tory is going to be standing up all by himself voting in favour, because he can't bring his own caucus along, even though he knows that he gets a very good bill.

*Interjections.*

**The Acting Speaker:** Order, please. Further questions and comments?

**Mr. John O'Toole (Durham):** I am very disappointed too, Minister of Community and Social Services.

I think what's happened here is that she really started to yell to build confidence in her argument, because she was obviously out of control.

Mr. Speaker, you would know that she should not call the member by name; She should refer to the riding. I'm surprised at her actions this evening as a minister, because we know that the member for Renfrew-Nipissing-Pembroke, like most of us—

*Interjections.*

**The Acting Speaker:** Order, please.

**Mr. O'Toole:** —is frustrated with the government's inability to mention Bill 169, the bill that's before the Legislature. They clearly don't want to mention the bill, and I'm somewhat disappointed.

She should recognize the member from Dufferin-Peel-Wellington-Grey by the riding, not by the name. It appears that the argument made by the opposition leader from Dufferin-Peel-Wellington-Grey has gone past her without any notice. By that, I'm disappointed by a member of caucus and her comments. I'd encourage the people of Ontario to read Hansard, to see the per-

formance here tonight, that yelling tends to be their way of building confidence in their argument.

There is much more to be said on this and other issues. It's clear that the members of the government don't want to debate the issue.

*Interjections.*

**Mr. O'Toole:** I can barely hear myself for the barracking by the minister and by others. The member for St. Catharines might—

**The Acting Speaker:** Order, please. Stop the clock.

Minister of Community and Social Services, you're being as loud in heckling as you were in your statement. I don't think the others interrupted you to quite the same extent.

The member from Durham.

**Mr. O'Toole:** She seems to be relishing this outrageous behaviour. Clearly, if any of us are to learn—and I would include myself in that—the ministers here tonight should be exemplary in their conduct.

*Interjections.*

**Mr. O'Toole:** The member from Renfrew-Nipissing-Pembroke did try to make an argument. They weren't prepared to listen.

**The Acting Speaker:** Questions and comments?

**Ms. Churley:** I want to be the mediator here and be the voice of reason and stop the histrionics, the hysteria, from both the Liberals and the Conservatives.

**Hon. Mr. Bradley:** The histrionics.

**Ms. Churley:** The histrionics, yes. As you know, I'm never histrionic.

As I understand it, what's going on here tonight is that the Conservatives are ringing the bells because they object to the adoption bill. I would just point out to people that maybe it's a lot of fun for you to be here ringing the bells tonight because you object to the adoption bill. If that's not what's going on, please clarify, because that's what one of the members who was speaking earlier said.

As somebody who has been working on this bill for a long time and this particular piece of legislation that I've brought forward five times, I do believe the minister has been trying to listen. In committee today, Mr. Jackson said that the amendment put forward went a long way—not all the way, but a long way—in terms of answering their concerns, and I believe that there is an effort being made to go there and make that happen.

In all seriousness, I will say to everybody here tonight that if ringing the bells to try to stop this bill from going forward is what's happening tonight, it's very, very disappointing to the thousands of people who have been involved in this issue since the 1970s and trying to get it passed.

Here we are, coming to the end of a session once again. I can't tell you how many times, whether it's coincidence or not, these bills come forward at the end of a session and then they fall apart—and Mr. Sterling knows this. The House is often ended and prorogued and we have to start all over again. Please do not do that to the adoption community again this time.



**Mr. Sterling:** Nothing could be further from the truth, in terms of the Tory position, the Conservative position, with regard to the adoption disclosure bill. We are only asking what every editorial is asking of this government: that a disclosure veto be included in the bill so that women who have been sexually assaulted have the right to say, "I don't want my name divulged to the adoptee whom I have given up," because of the traumatic experience that they went through.

This minister, this government, wants to force that particular individual back through the whole experience again by demanding that she has to go in front of a board to maintain her privacy. We are not giving that woman her privacy as a matter of right.

Our caucus has made our position clear. If the disclosure veto goes into that bill—

*Interjections.*

**The Acting Speaker:** Order, please. I perhaps have been too lenient, but we are talking about Bill 169, and the comments should—

*Interjections.*

**The Acting Speaker:** I know, and I was perhaps too lenient.

*Interjection.*

**The Acting Speaker:** Go ahead. You're right. But please try to confine it to Bill 169.

**Mr. Sterling:** We've made our position clear time and time again. Put the disclosure veto in, and 3% to 5% of the people will take advantage of it—it's what they did in BC, Alberta, Newfoundland—and you can have your bill tomorrow, done.

*Interjections.*

**The Acting Speaker:** Order, please. The member from Renfrew–Nipissing–Pembroke has two minutes in which to respond. I would appreciate it if he responded on the nature of the bill.

2050

**Mr. Yakabuski:** I thank the Minister of Community and Social Services, and the members from Durham, Toronto–Danforth and Lanark–Carleton for their contributions, although they didn't speak much to the bill we're debating tonight, 169. So in fact I do in some respect have to speak to what they had to say and the very reason I moved adjournment of the House on the last vote.

The minister—what do we say? "She doth protest too much." It's getting under her skin because she's feeling the heat on this bill. There are cracks appearing in her own caucus, because it is clearly fundamentally flawed when you want to go retroactively forcing disclosure on people who would feel absolutely threatened if that disclosure were to be forced upon them. That is the key element that we're asking for.

The minister brought forth 40 pages of amendments today. They brought amendment after amendment, but they are not addressing the key problem here. Day after day, the case against that portion of the bill is building. People out there are asking themselves, what is fair about forcing someone who was victimized once to be vic-

timized again? This is a fundamental right. People have a right to privacy. Take away the retroactivity and allow the disclosure veto with regard to retroactivity and this bill would have no problems passing. Everybody is in favour of opening up adoption records and giving more access to adoption, but this bill, with its lack of disclosure veto, is not acceptable.

**The Acting Speaker:** Before I call for the next debate tonight, I'm asking again. We are debating Bill 169, the transportation bill.

**Ms. Churley:** That's not why we're here.

**The Acting Speaker:** That is precisely why we are here. It is for the transportation bill. Is there further debate on the transportation bill?

**Mr. O'Toole:** I'm going to have to beg your leave to remove my coat because of the temperature tonight in Ontario. Each of us is suffering a heat wave in Ontario. It's recorded that the temperature will rise to 37 degrees today. In fact, I questioned the minister today. Our leader, John Tory, made two very good points that should be part of the record, and I'd like to put them on the record again, when he questioned the robust contingency plan that the Minister of Energy, Dwight Duncan, had for the potential risk of the energy professionals on strike today.

So in the climate of this warmer temperature, my intention here tonight is to discuss at some length Bill 169, An Act to amend the Highway Traffic Act to amend and repeal various other statutes in respect of transportation-related matters. It's quite an omnibus bill. For those interested viewers, this bill is about 17 pages in length and, by and large, it is relegated to several schedules which amend the Highway Traffic Act.

I'll try to go through it for the members of the government who haven't read it. They've just read the briefing notes they have been given; I understand that. What it does, by and large, is increase the fines substantially.

I'm going to start, just to give a demonstration or an example of the one section that I think is extremely important—I think it is section 35. I'll read it here. It's in the preamble to the bill, the explanatory notes, which are four or five pages long because it amends several sections.

"Section 35 of the Act creates an offence for having or displaying a fictitious, altered or fraudulently obtained driver's licence. This is amended to add the offence of having or displaying an imitation ... licence. The penalty"—this is the key, here—"is increased from a fine of not less than \$60 and not more than \$500 to a fine of not less than \$400 and not more than \$50,000."

This is about the traditional practice of Liberals' tax-and-spend attitude. You've got to watch this. I'm going to repeat this. Section 35 is just one of many parts that increases the penalties and fines. This is outrageous. Quite honestly, that is why I'm here tonight to say that this bill, by any measure of reasonableness, is outrageous.

Here's the point: As it currently stands today under the Highway Traffic Act, it's fine. I agree with the intent here, that persons who have or display a fictitious, altered driver's licence—I completely agree with the intent; completely. I want to make that very clear. What I have a problem with here is that we have people who, for a variety of social or other consequential reasons, are using these fraudulent identification papers, which is often a driver's licence. So I agree.

The fine today is between \$600 and \$500 depending on the will of the court. What they're doing is moving it from \$400 as a minimum up to \$50,000. What reasonable person today would have \$50,000? They mean to diminish the individual before the courts, with legal fees and costs of court and court time, for an infraction under the Highway Traffic Act.

I'm going to actually read this, because it's worth pursuing. This section has some length to it, and I am going to read it. It's on page 3 of the bill, and it's really subsection (4.1): "Every person who contravenes clause (1)(a) is guilty of an offence and on conviction is liable to a fine of not less than \$400 and not more than \$50,000." This is in reference to "display or cause or permit to be displayed or have in his or her possession a fictitious, imitation, altered or fraudulently obtained driver's licence." The issue of that one particular section is what I have a problem with in this particular bill today.

If I was to stray from the bill in any way, I want to put on the record very clearly at the outset that some of the contents of this bill, Bill 169, came before our government when in fact we were government and some of the issues were addressed. But the issue of what I call the "scoopers bill," dealing with the taxis and the airport limousine service, has been talked about. I remember Raminder Gill, a member of our caucus at the time, introduced a private member's bill. Mr. Speaker, you were here. You would probably remember the member from Bramalea-Gore-Malton-Springdale: an excellent member, a very qualified member. He met, listened to and consulted with constituents in his area who dealt with the airport limousine service issue. There's a broad-ranging aspect of this bill that deals specifically with that ability to scoop customers.

I probably support many of the sentiments here within this bill. But for those interested tonight, I think it's important to read some of the explanatory notes that will eventually surface as the infrastructure for these amendments to the Highway Traffic Act. With the attention of the members here and those listening—there are both here tonight; some are in attendance, some are actually listening:

"The following amendments create new ways of using highways:

"Section 128 of the act is amended to permit municipalities to pass bylaws prescribing a speed limit of 30 kilometres per hour in traffic calming areas."

Who would disagree with this innocuous change? Think of school safety zones, which we implemented. Think of parks and playgrounds and complete residential

areas. I think it's purely a responsibility of the municipal level of government to seek approval by the minister.

"New section 128.0.1 allows for the use of variable speed limits on designated highways or parts of highways. The ministry may set different speed limits to apply, at different times, to different highways or parts of highways and to different lanes, directions of travel and classes or types of motor vehicles on a designated highway."

#### 2100

This is where it becomes complicated. If you're driving down a controlled-access highway, which would be a provincially controlled highway, you could conceivably have preferential lanes. You and I would probably agree with this. If it's a commuter lane, you may allow a speed of a certain amount. But think of people crossing from lane to lane, where one speed was not to exceed 100 kilometres, the next speed limit on the middle zone might be 110 and the outside lane might be 120 for express to move along traffic, to avoid gridlock, to avoid congestion. Think of the electronic implications of this. Think of toll highways. Think of the enforcement. Think of the fines and the schedule of fines that aren't attached to this that will create problems and work for lawyers and problems for drivers who, through no fault of their own, may be trying to get out of one lane and into another lane to avoid blocking traffic. This, on implementation, is more government interference.

What we should be looking at, respectfully, is this. I drive often—not always; I often take GO Transit. I often drive on Highway 401. I'm generally coming in at around 6 o'clock to 7 in the morning. That's generally my time. I'm driving along with my constituents on Highway 401 from Clarington through Courtice, Oshawa, then Whitby, Ajax and Pickering. There's more and more gridlock. I've noticed that quite often at that time of the morning, the gridlock is unavoidable. In fact, it often is two hours. I would encourage government to find ways of traffic management and to avoid gridlock.

I don't see a lot in this bill as it is currently presented—and I've read it. I've read all the sections. I believe there are six pages of regulations—actually, there are four pages of regulations and amendments to the Highway Traffic Act. In the limited time I have, I'm going to get around to—I may not have enough time. But my point here is that when I look at that, I think there are other ways. I think there are solutions here, traffic-calming mechanisms. I think there are mechanisms of differentiated lanes, commuter lanes.

Mr. Speaker, I'm going to digress for one moment, with your indulgence. I have a private member's bill. The House leader and others have an understanding of this bill. Bill 137 is my bill. This bill comes from one morning when I was on the GO train riding to work, to Union Station, and a constituent mentioned to me that their pass to take the GO train and the TTC to Queen's Park or thereabouts was about \$100 a week. That's after-tax income. I thought, "You know, many companies provide parking as a taxable benefit." Bill 137 provides a tax



credit—up to the Minister of Finance's discretion, Greg Sorbara, as to what that rate is and what that table is—for everyone who uses transit. My intent here is not to prescribe what the tax relief should be but to encourage people to buy that monthly pass, to get out of the car, to make the first step toward a commitment to public transit, to reward and give an incentive to people who use public transit for a lot of economic and other reasons.

Looking at alternative ways, I encourage the government, and I fully relinquish—I have spoken with Minister Takhar, the Minister of Transportation, about Bill 137 and encourage him to pursue this as an instrument to encourage people to get out of their vehicles during commuter times and use public transit. It's one of the solutions we need to speak to. As a Conservative member of the John Tory caucus, I encourage people to use public transit. The way to do that is to encourage them, to reward them if they buy that monthly pass. If they were to pay \$100 a week and they worked 50 weeks of the year, that's \$5,000 a year in after-tax income, Mr. Speaker. You know what that means. If they were to get a tax credit, they would actually get out of their car and say, "Look, I may even get a \$100 or a \$500 tax credit at the end of the year." It wouldn't necessarily be dollar for dollar; I understand that. I see it as a more productive instrument than the gas tax transfer, which is very complex. It doesn't affect all people. People in my riding, for instance, may start out their journey in Port Perry or Burketon or Solina or Enniskillen, and they have to drive to Oshawa or Whitby and then get on the GO train. They've already driven, in many cases, 30, 40, 50 kilometres. And the gas taxes—you won't incent any money for Solina or Burketon to develop public transit solutions.

I'm putting that on the table here as a clear, sincere commitment to work with the government to find solutions other than the, I would say, overarching, overtaking solutions that are recommended in Bill 169. In fact, in my quick review of the bill in the very limited time I've been given by our party whip, Garfield Dunlop—he has sort of limited my time, and I don't understand why—I probably agree with section 128 of the act, governing the rate of speed; and section 214.1 of the act, governing the rate of speed in community safety zones, is amended to increase the fines for drivers between 30 and 35 kilometres per hour over the speed limit to the same fine applications for drivers between 35 and 50 kilometres per hour over the speed limit.

Section 128 is also amended so that drivers found guilty of driving more than 50 kilometres per hour over the speed limit more than once in every five-year period are subject to progressively longer licence suspensions: 30 days to 60 days, and eventually an additional year. Quite honestly, in community safety zones—I don't have a problem with that one. Due warning, a progressive disciplinary policy—I have no problem. It makes very good sense to me. We must put community safety first. Municipalities, under the current laws, have the ability to identify community safety zones, be they around parks, schools or neighbourhood facilities, and it makes good

sense. People who don't learn the first time, and the progressive discipline—I can tell you I would agree with that part of sections 128 and 214 of the act.

A new subsection 128(15.4) is added to provide that a certificate of offence for a speeding offence against a driver cannot be amended to reflect a charge against the person as the owner of the vehicle. Now, here's the obsequious nature here. Traditionally, the licence plate number, today, is registered against the owner, not the vehicle. If you sell the vehicle, the licence plate goes with you. So it's registered against the owner. Now here is the issue under the school bus passing issue, which came up earlier this year. If someone anonymously reports that you passed or did some infraction, you as the owner of that plate number are subject to a fine. That I completely disagree with. That's an onus on the owner of the vehicle to report who was actually driving the vehicle. The vehicle may be stolen. Issues that address congestion and gridlock, our government and our critic, Jim Wilson, have spoken long and hard—in fact, there's a Web site that addresses the issue of gridlock. We, as government, had a Smart Growth plan that I think was moving in the right direction without imposing undue penalties, as I outlined earlier, on the people of Ontario. Give them due warning. Educate the consumer.

Mr. Speaker, you may recall I had a bill—and the bill is still on the books. I'm surprised that the minister hasn't just adopted it. This was to prohibit the use of hand-held cell phones while driving. What better use of—

*Interjection.*

**Mr. O'Toole:** Yes, improving. It's still on the books, and the member would know that it was unanimously endorsed here. Members of all caucuses recognized that the invading and pervasive use, the intrusion into our space as drivers, isn't just cell phones; it's BlackBerries, it's onboard navigation. I called it—the minister could define it in regulation—technology that deals with driver distraction. What it did was allow the Minister of Transportation, whoever is the government, to define in regulations the prescribed instruments of driver distraction and driver interference, as well as the fines that went along with it. I can't imagine for the life of me why the minister—it isn't even partisan politics; it's just good public policy. People from all walks of life, business and private sector, have agreed on the banning of cell phones while driving. In other jurisdictions—in fact, my legislation was adopted by Newfoundland and Labrador. It was my bill amended to reflect their Highway Traffic Act.

**2110**

**Ms. Churley:** Yay, my province.

**Mr. O'Toole:** Exactly. The city of New York as well; I have spoken with them.

It's just good public policy. Like Bill 137, I offered the cell phone bill to the government to just be good government policy. Much of what I see here is also contemplated in some of the initiatives.

Now, what I find causing much of the driver gridlock issue is incident management.

I've got very little time left. If I was to invoke a motion here, I would end up with no time. In the spirit of trying to be sincere about my commitment to Bill 169, before us to debate, first I must make—this was at the last moment. The House leader, Dwight Duncan, changed the order that we were to be debating tonight. The bill we were supposed to be debating tonight was the democratic renewal bill. I stayed, anticipating, as I'm sure many of us did, debating that bill. I find out it's Bill 169, which is another bill. They have gridlock themselves, it turns out. They have several bills. Mr. Speaker, it's true. You should know. You're new in the chair. Bill 183, in the intransigence of the House leader, and the Minister of Community and Social Services knows, as—

**Ms. Churley:** That's why you're doing this.

**Mr. O'Toole:** No, no. This government wants good policy that respects the people of Ontario. Ann Cavoukian, the privacy commissioner for Ontario, and a couple of articles in the newspaper, independent of partisan politics, have said it all. Good politics makes good policy, and good policy is good politics. I feel the minister—in fact, I find the leader is now listening. Dalton McGuinty is listening. There is some traction on this opposition. I encourage you, in the interest of finding resolve and inspiration to move forward collectively, to find solutions on Bill 183. Move slowly when you're dealing with people's lives. That willingness would go a long way toward goodwill in this House. I for one will be supporting the bills that try to find the greatest reasons to resolve the issues for the people of Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Churley:** You were going to ring the bells again, and you missed your cue?

**Mr. O'Toole:** I missed my chance.

**Ms. Churley:** There you go. There he goes again. The member gave a speech about the bill that we're supposed to be talking about here tonight. The reality is that that's not why we're here. He admitted it once again at the very end that they are holding this House and the people of Ontario hostage because they don't agree with certain aspects of the adoption bill before us. Now, I would say it's a democracy. Let's have the vote, a fair vote in the Legislature, and see what happens. That's what democracy is all about.

The member knows that the five times I brought a similar bill forward—which had no disclosure veto whatsoever. This government has, against my objections, put in some disclosure amendments and one piece within the bill itself. Yet the opposition continues, because of a few people who have always opposed the bill since the 1970s, and some of them are still here, giving the very—

**Interjection:** Name names.

**Ms. Churley:** Norm Sterling, and Jim Bradley and the Liberals too. They are making the same excuses and rationales that they were making in the 1970s when Ross McClellan brought forward the first private member's bill here that actually created the adoption registry, the first in North America. All the same things, Norm, were

said at that time—they were; I looked at Hansard—and later on in the 1980s when Sweeney brought forward a bill. They didn't happen.

I want to remind the members in this Legislature that the privacy commissioner has no jurisdiction in this matter. She admits it; she agrees to that. She says it should be decided at the end of the day by government. It's a complex situation. At the end of the day, that is what we're doing here. Look at England, which has had adoption disclosure since the 1970s, with no disclosure veto and no contact veto, and none of these things have happened. It is a red herring. It is scaring people for no reason whatsoever.

**Hon. Mr. Bradley:** What I am pleased about this time is that the representative of the Conservative Party who spoke this time didn't simply adjourn the debate and want to adjourn the House, which is obviously a tactic that they have been using. I'm surprised by that.

I've got to share the concerns expressed by the member for Windsor—St. Clair. I read the op-ed piece in the Toronto Star by the new leader of the Conservative Party, and I've come to the conclusion, after the few weeks that he's been here, that while he had the most votes at the Tory leadership, Jim Flaherty actually won this particular leadership, because I see that the right wing of this party seems to be pulling the leader away from positions that I know he would like. I know the member wanted to get to that in his remarks.

*Interjections.*

**Hon. Mr. Bradley:** He didn't have the time. But I'm concerned, because I see them, instead of debating—I think it's quite legitimate to debate bills, and I think a lot of good arguments are often made on many sides of the House. What I am concerned about is the Conservative Party used to denounce the opposition previously as irresponsible when they were moving the adjournment of the House and adjournment of the debate and so on and using stalling tactics. I expected, with the new leader—I may not agree with his policies, but the new leader, John Tory, was going to change things. I think I read that op-ed piece in the Toronto Star about 15 times, to see all the changes. And then he had the resolution last week that says, "To conduct legislative proceedings in a way that reflects the values of all Ontarians, such that members of the Legislature conduct themselves with the highest degree of professionalism and respect for their fellow members." Yet instead of allowing the debate to flow, we have them cutting off the debate with frivolous and vexatious motions to adjourn the debate and adjourn the House. I'm disappointed with that, but I want to commend the member for not participating in that kind of activity.

**The Deputy Speaker:** Questions and comments? The member from Nepean—Carleton.

**Mr. Sterling:** From Lanark—Carleton.

**The Deputy Speaker:** Lanark—Carleton, thank you. And I've vacationed in Lanark county.

**Mr. Sterling:** Members here are confusing decorum with the use of the rules in order to meet the ends of a



political situation. So the ringing of bells, moving adjournment of the House and moving adjournment of the debate is quite within our ability, quite within proper decorum in this House in order to drive this Parliament in a certain direction. I have been a party to doing this before with different methods and different kinds of political movements. I was the person who suggested to Mike Harris that he introduce a bill talking about all the lakes and rivers in the province of Ontario, and it was used as a political manoeuvre to stall the House for a day. Don't confuse that with decorum, because decorum is about paying respect to members when they're speaking, listening to them and perhaps even changing the policy with regard to what they say.

So listen, I have no problem moving adjournment of the House, adjournment of the debate, if that's necessary for us to achieve a political end, to bring some sense to this government, about a particular piece of legislation, in this case the adoption disclosure bill.

**Mr. Patten:** Move adjournment of the House.

**Mr. Sterling:** I can't at this particular time. You can't move adjournment of the House or adjournment of the debate during your two-minute hit.

So we do stand for better decorum, but we will also use the rules of the House to our advantage.

2120

**Mr. Dunlop:** I'd like to thank the member from Durham for his fine comments on Bill 169. He dealt with a lot of the issues around the bill, and he also made very clear his position on a few other topics around this House today.

I guess what I find really interesting tonight is we heard the minister a little while ago screaming away, talking about decorum. The minister—I think her name is Pupatello, the member from Windsor West—

**The Deputy Speaker:** Let's start early; let's go with the minister's title, please.

**Mr. Dunlop:** The Minister of Community and Social Services. I know she's the one who is closing down the Huronia Regional Centre in the city of Orillia—I know her very well—and the regional centre in Smiths Falls.

*Interjections.*

**Mr. Dunlop:** Yes, you can support the private member's bill to keep them open, because she's obviously not concerned about that.

What I was trying to point out here tonight to the people who are watching on TV—and I hope people are watching—is that the members of the government are not debating the bill. What is wrong with you? Why will you not debate this piece of legislation? Why don't you stand in this House, just one of you, stand for five minutes or 10 minutes and actually speak to the legislation? Can you understand why they won't do that? I think that's a good point we're trying to raise. Why would someone else not adjourn the debate or try to adjourn the House, when the government, the people who are trying to pass this legislation, don't have the courtesy to debate? That's what it's all about here tonight: They do not have the courtesy to debate this in this House tonight. That's

disappointing to the citizens of the province of Ontario. This very important bill, this very important piece of legislation, has received 10 minutes of debate on second reading from the members of the government of the province of Ontario. I find that disappointing. Mind you, they're over there heckling me as usual, but the bottom line is they refuse to debate the legislation they brought into this House.

**The Deputy Speaker:** The member for Durham, you have up to two minutes to reply.

**Mr. O'Toole:** I'm very intrigued that the member from St. Catharines responded. I appreciate that. He is here; he is dedicated. He and the member from Lanark-Carleton, as the two more senior persons here, having served in government and opposition, know the rules of which they speak and I respect that. In the past, this was always treated as a time allocation—"We just want to ram it through"—if that's the layman's term inside. But really, where you feel your principles and your debates meet your standards, you would force the legislation.

What you're doing here is a bit of a travesty in a way. I don't say this hypothetically or hypercritically. You should probably participate in the debate, as the member from St. Catharines did. What you're doing is you're not standing up any speakers, for the sake of forcing us to make long and arduous comments with respect to a bill that, for the most part, many of us would have some agreement with.

But you know, as you understand, the debate goes on. The member from Simcoe North did summarize it, I might say, with some passion. As our whip, he knows the inner workings of the House leaders' process, that there are issues that the House leaders could work, as they say, in a more open, democratic fashion. I don't know if the right House leader is in place on the government side.

I think Mr. Tory, our leader, has it right and his intentions are not impugned on the history which you refer to. What he is trying to do is move this process forward so members on the backbench, members in opposition and in the third party have a meaningful role.

So with respect to Bill 169, there's much to be agreed upon here. You are in control. You are the government. If this bill doesn't move forward—you could easily have called the vote on this bill. It is in third reading. It has been through second reading debate. As such, there's one more reason to question their ability to manage and to govern, not just 169 but other bills before the Legislature.

**The Deputy Speaker:** Further debate.

**Mr. Michael Prue (Beaches-East York):** Mr. Speaker, the first thing I wish to do is thank you again for assuming the Chair, which allowed me an opportunity to actually speak here tonight.

**The Deputy Speaker:** I thought you would go home.

**Mr. Prue:** You thought I would go home, yes. And I thought I would too, except that I really feel compelled to talk about this particular bill because I haven't had an opportunity in the House to talk about this bill at all, Bill 169. I don't know whether I'm even going to use my whole 20 minutes, because there's only one aspect of this

bill that troubles me at all. If it was not in the bill, I would gladly vote for it, because every single aspect of the bill, save and except one, meets my satisfaction. The one problem with the bill is the one that has been spoken about here tonight, and that is the scooping principle at Pearson airport, and the lack of similar legislation to assist the cabbies of Toronto.

This is an older bill. This is not brand new; this is not a government bill for the first time, as has already been stated tonight. This was before the last Parliament. Before the last Parliament, the member then from Bramalea-Gore-Malton-Springdale brought forward a private member's bill. He brought forward the bill and it was in this House for a considerable period of time. It passed second reading and went to committee. There were attempts to bring it back on several occasions, but eventually it died on the order paper because there was not unanimous consent of the members of the House.

One of the people who did not grant unanimous consent was me. I didn't do it for a very good reason—the same reason I am opposing this bill today—and that is because it does not do what it purports to do. It is intended to stop scoopers at Pearson airport. But in fact it continues an unfair practice that has existed at Pearson airport for a number of years. You see, the cabbies at the airport, those who drive the limousines, have a monopoly. They are the only ones who can pick up at the airport; they have a licence to do so. A Toronto cabbie is allowed to pick up at the airport if there is a pre-existing fare and if the cab driver can pay \$10, go into a compound and wait for the name to be called. If for some reason the person seeing a cab right away said, "I called one, but it doesn't matter; I'm going to take this one," the cab driver may not know for hours and hours that his fare has not arrived, only to be told, "Your fare hasn't come, and you're gone." It would waste a huge amount of time, and it costs \$10. There is a special sticker that accompanies it. There is a whole bureaucratic rigmarole for a cab driver in Toronto to pick up a fare. So they don't do it.

But what happens the other way is the problem. Nine hundred or so people who have licences at Pearson International Airport come into the city of Toronto all the time. They not only come into the city of Toronto but into Brampton and Hamilton and all over southwestern Ontario. They go all over, literally anywhere they're required to go. But increasingly, and with some distress to the cab drivers of Toronto, they have started to come in and hang around the larger hotels and convention areas of Toronto. They then pay what is called a cookie. For those of you who may not be familiar with this, it is a bribe, usually \$5, \$10 or \$15 to the doorman of the hotel. For the cookie, the \$10 or \$15, the doorman at the hotel will ask visitors, primarily Americans and those who are not from the Toronto area, "Do you want to go somewhere, to Niagara Falls? Do you want to go to the Science Centre?"—not the Science Centre; that's not far enough away. It's usually the drives that are long and detailed or that might take three or four hours, that a

tourist is willing to spend on for a tour of Toronto. "I'll get you a limousine, not a cab." All it's going to cost is the \$15 or \$20 you're going to give to me, and I'm going to give half to the offending cab driver. Then they call over and say that this is a pre-arranged ride. Then the airport limousine driver takes the tour that is an hour or two or three hours long, which might net \$100 or \$200. That's something the Toronto cabbies don't get.

So what is happening with your bill? You are making it increasingly difficult for a Toronto cabbie to scoop at the airport, and maybe you should. Maybe they shouldn't be out there scooping at the airport. But what you're not doing with the bill is protecting the 10,000 cab drivers in the city of Toronto who rely on the tourist business, who line up at the hotels, sometimes waiting for half an hour or an hour or two hours to get a fare, only to see the fare of a lifetime, certainly the fare of that week, the fare they could only dream of getting, being handed over to someone who does not have a licence, because that person is willing to pay cookies to the doorman.

2130

That is why we oppose this bill; not because of all the good things in it, but because you are doing a disservice to 10,000 honest men and women in the city of Toronto who are only seeking fairness. They believe that if they cannot scoop at the airport, the airport limousine drivers should not be allowed to scoop in Toronto. What a revolutionary thought. If you outlawed scooping altogether, if your bill would do that, I would support your bill. But your bill is confined to Pearson International Airport. Your bill is confined to protect those people who, with complete ease, come into the city of Toronto and scoop fares, and yet you are not willing to give the same thing to the city of Toronto cab drivers.

They've been out. They've been honking their horns, going around and around this place several times. You must have seen them. Did you not stop to wonder why they're doing it? Did you not stop and ask them, "Why are you doing this?" They want to know why you are proposing this one tiny little section of an otherwise good bill. For the life of me, I don't know. The only thing I know is that the member in the last Parliament and the member in this Parliament both represent the same area. They both listen to the same people. They both have the same constituents who are asking them for the same thing. I don't think it has anything to do with party.

Now, I do have to tell you that I was extremely disturbed when I was handed a copy of a Punjabi newspaper. We had it translated. The newspaper article, with the smiling picture of the minister and all the other people in it, and the Premier, has the caption underneath about the airport limousine drivers having paid to attend a fundraiser, having raised \$200,000 for the government. When something is as fundamentally wrong on this one issue as is contained in this bill, I do not see how the members opposite can take this lightly. Whether that newspaper article was true or not true, it is in print. It names the minister, it names the Liberal Party and it says what reward they are going to get for the \$200,000.



That's what I see here. That's what the cab drivers of Toronto see here.

I will tell you that they need to be listened to. That portion of the bill needs to be withdrawn. The rest of the bill—community safety zones, school buses, everything else the bill does—is commendable. But I am asking the members opposite to talk to the minister, to talk to the whip, to talk to the House leader or to whomever else you have to. Withdraw that offending piece of the bill, because the cab drivers of Toronto are not willing to take this. There will be some discord in this city in the future if this portion passes. If they see that what is being denied them, i.e. the opportunity to scoop, is being made even easier for those who can pay the cookie, then I think there's not going to be peace on the streets of this city, at least as far as the cab drivers are concerned.

Those same cab drivers are saying that this can be done in several ways, that this can be done in other ways. They have suggested to me, and probably to somebody on the government side, that in the negotiations that are taking place between the Premier and the mayor of Toronto there is an opportunity with the new city charter, or whatever it's going to be called, to empower the city to do what is necessary to stop and outlaw scooping, as opposed to having the province pass this legislation. They are willing and able and, I think, would welcome an opportunity to work with city hall.

As the member from Leeds—Grenville said tonight, the cab drivers of Toronto have had a little problem with the chairman, Councillor Moscoe. I think that is a bit of an understatement. But he should also have said that they have started to work together and to trust each other a little bit more in the last couple of years. If you withdraw this provision, I certainly think it has a place in the new city charter. I also think it has a place as a companion or separate piece of legislation that deals exclusively with this issue. If you want to show fairness, you need to sit down with both the 900 drivers at Pearson airport and the 12,000 drivers in the city of Toronto. If you want to do it right, please do it. Pass the rest of the legislation. I won't be speaking any more, but I know that if you remove that portion, I'm pretty sure that my colleagues in the New Democratic Party will support the balance of the legislation.

If you leave it in, we have to vote no. If you've heard me through, you'll know that this is a very important issue to 12,000 people. It relates entirely to their livelihood, to the sense of fairness on Toronto streets, and if you asked me whose side I'm on, I would probably tell you no one's, except that these people need a champion; they need someone to tell their story, because so far, all the government has heard from is those people at Pearson airport.

**The Deputy Speaker:** Questions and comments?

**Mr. McNeely:** Parts of this bill are very important for the safety of Ontarians, and this was part of the discussions tonight. But I'd also like to take the opportunity to talk about other things more pertinent to Ottawa. One of the things that I would like to note is that health care

funding—we have the ICES report now, and while the member for Lanark—Carleton is here—and I'd just like to address the member from Nepean—Carleton. If they'd look at that ICES report that came out in 2003-04, when this government changed, they would find that Ottawa is 14th out of 14 in wait times, the worst in the whole province. I would just like them to be aware of that.

**The Deputy Speaker:** I remind the member for Ottawa—Orléans, we really have Bill 169 before us tonight, and although I'm sure you're interested in that, I would ask that you stick to the comments of the member for Beaches—East York.

**Mr. McNeely:** Thank you, Mr. Speaker. Yes, we should be discussing the bill, and I'm sure that the parliamentary assistant will get around to the specific issues that the member was speaking about. But I would just like to say that I don't think historically, and certainly not in the 1990s, that enough was done with methods of using our infrastructure better. I touched on it before. I think it's extremely important that with this bill we get on with measures that are going to make our infrastructure work a lot better. That's what this bill is all about. Let's support the bill and get it passed.

**Mr. Sterling:** This bill, with respect to this scooper issue, is not unlike the experience we're going through in committee now dealing with Bill 183, and that is that the government—

**The Deputy Speaker:** No. Help me—

**Mr. Sterling:** You don't even know what I'm talking about, Mr. Speaker.

**The Deputy Speaker:** OK, I'll listen very carefully then. But it would help me if you'd sit down while I get up and explain my point.

*Interjection.*

**The Deputy Speaker:** OK, thank you. The member from Lanark—Carleton.

**Mr. Sterling:** What I'm talking about is this: These issues are complex issues, and therefore, when the government lays a piece of legislation on the table like this bill, dealing with the scooper law—they're trying to treat this as an isolated problem and solution at the airport, without taking into account the larger greater Toronto area and the effects on people who may be in competition with the airline limousines at the airport. So we have a bill that confines itself to dealing with one group, without really exploring what they should be doing overall across this greater Toronto area, as the speaker has pointed out. It becomes very, very frustrating for members of the opposition to try to get a good piece of legislation here which really takes into account what's happening on the ground. The tendency of this government is to respond to one pressure group, race in with a narrow piece of legislation, not well thought out, and as a result, they get themselves in trouble.

**Ms. Andrea Horwath (Hamilton East):** I have to say that I'm very pleased that my colleague from Beaches—East York came out of the Speaker's chair to speak to this bill particularly, because of the insights that he brings to the debate, being a member from the Toronto

area. I know that our critic from Timmins-James Bay had an opportunity to do maybe two thirds of his leadoff speech on the issue, on the bill, but wasn't able to finish off tonight. In fact, he should have been here to do that but was unable to be here, unfortunately. This gave the member from Beaches-East York the chance to make comments.

**2140**

I have to say that I agree with everything the member has said. I wanted to add to that that although other sections of the bill are something that we do see some significant merit in—again, not talking about the unfairness that's going to be implemented with the Toronto taxi industry, but rather other pieces of the bill around the dedicated lanes on the highway, school safety zones and all of those other pieces that are meant to be safety measures for the community, meant to be ways to try to improve the traffic safety in communities and on highways. But the problem that we've identified and that the our lead critic in the area talked about is the fact that enforcement is only as effective as the tools that you have to create the enforcement. He spoke about the issue of lack of resources for police, particularly the broken promise around the 1,000 new police officers. I thought that it was appropriate for me to remind this government that if they are looking to increase enforcement, increase fines, try to deal with those issues, the 1,000 police officers who are necessary in communities—and paid for by the government, as opposed to 30-cent dollars, which is what they ended up with, and municipalities just can't afford it.

**Mr. Lalonde:** I just want to remind the member for Beaches-East York that this bill is not confined to Pearson airport. We are making it illegal at any airport in Ontario at the present time, so it is not only for Pearson airport. All we want is the protection of all of those people who have to jump in a cab. You're saying that they are scooping fares at the present time. I fully agree with this, because at one time we had one complaint that it cost \$180 from Pearson airport to downtown Toronto. Those people who are trying to scoop the passengers at Pearson airport are going inside the second door, and that's where they get the people. The people who have never been in Toronto before think it's legal, so they say, "Yes, I'm going downtown." And when they cross the first island median at the Toronto airport, they jump in the cab, and they'll never know where they go. I happened to have the experience once before. I was going to the island airport, and I ended up at St. Joseph's hospital. They didn't know where to take me. This is why this bill will protect the passengers safely and also financially. That is the protection we want to give to the people of Ontario and to any visitors who come to Toronto.

**The Deputy Speaker:** The member for Beaches-East York, you have two minutes to reply.

**Mr. Prue:** I only have two minutes, so I want to tell to the members that I have been dealing with this issue for so many years, first of all at Metro council and then in

the amalgamated city of Toronto. We went through a whole exercise with the cabs. We went through the ambassador cabs, we went through the licences, we went through the licensing authority, and I think that I do know a little bit about what I'm talking about in terms of the cookies, about the cabbies and about what's happening. That is the problem with the bill.

I agree with the member from Glengarry-Prescott-Russell that we have to stop the scooping by illegal cabs at the airport—at this airport or in any airport. If that's all the bill did, that would be fine. But that isn't what the bill does, because what the bill does is it allows the continuation of a reverse scooping practice which is taking place in Toronto. That is what your bill not doing, and that is the problem with the bill. It is the problem that 12,000 cabbies in this city are saying they want some redress. If you are going to stop them, and they are only occasional scoopers at the airport—and I will agree that some of them do—they want to be assured that the limousines cannot come and scoop their legitimate fares in Toronto. The same argument holds true. Just because you have a limousine licence doesn't mean that you are going to treat fairly the people who get into your cab at the Royal York Hotel and who don't know that there is no meter in the cab and you can charge anything you want—because there are no meters in the limousines. What is to stop the unfairness there?

The unfairness exists because the law is not enforceable; it is particularly not enforceable to the people who live in Toronto. If you want the bill, you need enforcement, as my colleague from Hamilton East has said, and you have to make sure that scoopers are dealt with in a way that is consistent across the airports and the cities that are close to them. That's all we're asking, on this side of the House. If you do that, then you'll have a good bill; if you don't, we have to oppose it.

**The Deputy Speaker:** Further debate?

**Mr. Sterling:** It's great that we're talking about a transportation act when earlier this evening many of us shared a reception with the professional engineers of Ontario, some 70,000 of them across our province. Many of their lives are involved in the construction, maintenance and improvement of the roads and bridges across our province. I was asked, along with the two other engineers from the Legislature, Ernie Parsons from Belleville—

**Mr. Ernie Parsons (Prince Edward-Hastings):** Prince Edward-Hastings.

**Mr. Sterling:** Well, you didn't get my riding right. Phil McNeely, who spoke just a few minutes ago, is the other engineer in the Legislature. I made the observation that we needed more engineers in the Ontario Legislature and that, by some strange coincidence, all three engineers in the Legislature come from eastern Ontario. I just wonder what's the matter with the rest of the province. What's happening down in the Windsor-Essex area, for instance?

**Mr. Levac:** They're smart enough.



**Mr. Sterling:** The government whip says they're smarter in other parts of the province.

This bill comes as a bit of a surprise to us, in terms of having to debate it tonight. Up to 5 o'clock this evening, we thought we were going to be debating Bill 176. That's the bill dealing with democratic renewal. So you've caught some of the members here flat-footed. Our critic, Jim Wilson, is not here tonight to hear the debate. Therefore, some people who are watching might say, "Why aren't people ready to speak, and why are the bells ringing from time to time?" My answer is that nobody knew this was going to happen till 5 o'clock tonight. So, as I say, we were going to debate democratic renewal.

The other part is that there has been some consternation in the Legislature tonight about the fact that the bells are ringing and time is a-wasting and all that kind of thing. During the last two weeks of the session, the government has the option of extending the hours to 12 midnight. Are we in the last two weeks now? No, we're not. They just did it by motion, is that correct? Yes. I'm asking the clerk those questions, Mr. Speaker. But there is a very, very negative effect to the opposition debating that in full, because they would lose their question period if in fact we debated that motion here during the afternoon when the government House leader, Mr. Duncan, calls it.

Now, one of the problems we have here of course is that you try to beat down the opposition by having debate until midnight. So we sit around here, and we're limited to 20-minute speeches after you lead off. Your leadoff speaker has an hour. So using the rules of the House to drive your overall strategy as to what bills you want to try to change the government's mind on leads us to this position that's not understood, and can't be understood by somebody who is outside of this institution, that it's in our interest to debate this bill ad nauseam so we can drive reason and rationale on some other bills that are more important than this particular piece of legislation. It is not so much that we want to debate this bill at length; it's the fact that we want to move the government with regard to some other pieces of legislation. By continually raising the issue of one other bill, we have been able to demonstrate already that the government is moving on that bill, and if they would just turn the corner on it, we probably could all be out of here this Thursday night. That's a small reality.

2150

But I want to talk about some of the issues involved in this. This is a Ministry of Transportation bill, one of the ministries I served in around 2001 for, unfortunately, only one year, because it was necessary for me then to leave to go to the Attorney General's office. I really enjoyed my stay at the Ministry of Transportation. The first Minister of Transportation was appointed in about 1937 or something like that. I was talking earlier about the engineers in the Legislature. I was the first Minister of Transportation who was also a civil engineer, so much to the chagrin of some great assistant deputy ministers like Carl Hennum, he could no longer say he was the

chief engineer at the Ministry of Transportation. He and I often kidded when people talked about who was the chief engineer of the Ministry of Transportation

**Mr. Levac:** You both said "I am" at the same time.

**Mr. Sterling:** Yes, we both said "I am" at the same time.

Anyway, one of the things that ministry has is some great people. They have some great assistant deputy ministers. I believe their deputy minister now is somebody with whom I also had some experience and for whom I have a great deal of respect as well. You could rely on them to bring forward proposals and improvements to the whole range of topics which comes under the Ministry of Transportation.

I see in these pages some of the proposals that were brought before me as the minister back then and that we would put on the legislative timetable. Sometimes they would fall off, because there was never enough time under our government to get to them. Part of the reason we never got to them was that if a bill like this was brought forward by us, the then Liberal opposition would force us to three days of second reading debate, virtually on every bill. It didn't matter whether they did or didn't agree with it; they would force us to three days. Then we would move a time allocation motion, which would make it four days, so we would be into the fifth day by the time we got to vote on it at second reading, and third reading would be perhaps even a sixth day. Consequently, pieces of legislation like this didn't get passed by our government, because we had an obstreperous opposition.

When John Tory, our leader, is talking about doing things in a better way, we are trying for and have demonstrated, for the most part, a degree of co-operation which hasn't been seen here from an opposition party. Now, we are getting to the end of the legislative session, and there is a very, very significant issue we're dealing with, so now we have turned a little bit obstinate in terms of what we're doing.

One of the proposals that was brought forward by the former member for Brampton-Springdale—whatever all those names were; it was Raminder Gill. He wanted to bring this forward, and I think he had a private member's bill that did part of this. I'm not sure it did as much as this, but it brought forward the overall idea. Part of the problem that is not dealt with adequately here, I think, is, who is responsible for enforcing this?

The airport is located in the city of Mississauga, and it seems to me that the city of Mississauga, which receives a very substantial payment in lieu of taxes from the Greater Toronto Airport Authority, formerly the government of Canada, and benefits in terms of revenues from limousine drivers who drive people to and from the airport, should bear some of the cost of the regulatory scheme surrounding the licences to these limousines. It is unclear in this bill whether the burden of enforcing this particular scooter section would be the responsibility of the host municipality that has the airport contained within its borders. It seems only fair to me that the city of Mississauga should be given that particular burden, and

as far as I understood it, the city of Mississauga wanted no part of this. They wanted the revenue from the airport and they wanted the regulatory regime surrounding the licensing of the limousines, but they didn't want to police it.

I go through the airport quite often. Since I was elected in 1977, I think I have been on an airplane over 3,000 times. I go back and forth, sometimes twice a week. I go through that airport often, and I see the odd fellow trying to offer me a ride who obviously isn't a licensed limousine driver. If this bill comes into effect, we know how aggressive these drivers are in terms of their "territory." My concern about passing this bill without actually getting down to the nitty-gritty of who is going to do the dirty work of enforcing it is that I can see some pretty agitated limousine drivers at the airport calling on the police, phoning 911, doing whatever is necessary to get the police out to the airport to chase after a particular potential scooper.

You know what? I think our police forces in general have more important work to do than this particular work. A regulatory regime is a regulatory regime, and I really believe this should be handled at a lower level than perhaps this particular legislation calls for. I think municipal bylaw enforcers should be involved in doing this, and I don't think the police should be involved. I can't imagine how this is going to be enforced, other than to have a squad car or a number of police walking around the arrivals level of the Toronto international airport and the Ottawa international airport. I don't see that the benefits are that significant, to pay an officer, who's costing us in total somewhere between \$75,000 and \$100,000 a year, to do that.

I have some real questions of the Minister of Transportation as to who is going to take the burden of enforcing this and who's going to pay for the enforcement of it. I'd really like the parliamentary assistant, who is with us here tonight—and I appreciate the participation of Mr. Lalonde, the parliamentary assistant to the Minister of Transportation. I hope he will answer that question in an opportunity that he will have to get up and talk about that at the end of my remarks.

2200

Some of the other sections involved in here deal with the problem we have faced in many neighbourhoods in our large urban areas where the city has installed traffic bumps and islands in the middle of a residential street in order to slow down the traffic going up that street. The problem with the installation of those particular techniques comes when a fire truck or ambulance has to go down the street, and of course they are trained to go a little faster than the normal speed limit. It's very difficult for an ambulance with a sick patient to go over those bumps, therefore the legislation is allowing the municipalities to drop the speed limit even lower than the 40 kilometres per hour, down to 30 kilometres per hour. We're going to see not only all of those streets but probably every street knocked down to 30 kilometres per hour.

It's sort of odd: I think there is another section in here that will allow the minister to start regulating speed limits across the province in a different manner. I thought we already had that before. I have heard the member for Ottawa West talk about increasing speed limits across Ontario, something that I am very, very much in favour of. I did a questionnaire in my last newsletter to my constituents, and overwhelmingly they said that on a two-lane highway the speed limit should be raised to 100 kilometres per hour and on a four-lane highway to 120 kilometres per hour. I think that would be a big, big step forward toward reality, because we know, and I knew as the Minister of Transportation, that in spite of the fact that we had a speed limit of 100, the average speed that was observed along four-lane highways is about 115 to 120.

I don't think we should encourage people to break the law, but every so often you pull in behind a car—and I have driven back and forth to Ottawa I don't know how many times in the last 28 years or so, probably at least 3,000 times. If you go 100 kilometres per hour along the 401 from here to Ottawa, and the 416, you're likely to be run over. The whole idea of giving so much discretion to the police to decide to stop you and nail you with a fine—we don't really know where that discretion starts and stops. Everybody sort of takes the chance that the unofficial speed limit is 120, maybe even 125, so everybody stretches it to that. But the problem with not having a realistic speed limit is that if you actually stop somebody who is going 135, you're not just fining him for 15 kilometres over the speed limit; you're fining him for 35 kilometres over the speed limit, and that has a great effect on the insurance of that particular individual etc. I think the police are probably more reluctant to fine people now because it jumps from zero to a very serious fine if you just go over whatever their discretionary limit might be. I believe, like the member for Ottawa West—Nepean, that the speed limit should be raised. He's a minister in the government. I expect him to flex his muscle and have it done.

I also agree with him when he says that maybe we should consider the sale of alcoholic spirits outside of the LCBO. We heard that from David Peterson in the 1985 election and it never happened. I'm not sure it's going to happen here either. I think the member is perhaps on a wish list on that one. But on this particular one, it is time for us to deal with the unrealistically low speed limits on the rest of our highways.

There are some other good parts to this bill. The further regulation of our driving schools is something that we do need to do. It's something that we have allowed to operate in an unregulated fashion. It has been pretty successful so far, but it's probably time to move into that regard.

I think that in spite of the fact that we're having a long debate on this, I'll probably support this bill.

**The Deputy Speaker:** Questions and comments?

**Mr. Levac:** I thought I'd take an opportunity to mention just a couple of quick things. The member from



Lanark–Carleton did a good job of staying on topic, and I appreciate the fact that he was debating Bill 169. Just to bring to the attention of the member, and I mentioned it to him in passing, I offered a private member's bill to deal with an issue on doubling the fines in construction zones and was told that it really wasn't feasible. I think it was at the time. I think what happened was that some lawyers got hold of it and said, "We can't do this," and it got buried. So I want to remind the member that in opposition, when I offered that bill, it got buried too.

It brings me to the point I want to make. There are some ideas being floated here, and I think they deserve to be aired during the hearings. We're looking for passage of the bill tonight so that we can get them into the committee, to hear what those concerns are and to make sure that we give them the debate from the experts out there who want to make comment on the bill. So for the amount of time that everyone says we're spending not talking, we say that we know what's in the bill. Most of us, including the opposition, both parties have said, "You know, a couple of little tweaks and we can support the bill. We support the intent of the whole bill." I think we should get to it. Let's put this on the table and get the bill done tonight and get it into committee so we can have a chance to change some of those things that you think are important and worth changing and see what happens. I just think it's an opportunity.

The second private member's bill I offered was on safe school zones, talking about ensuring that the traffic has slowed down in front of every single school in Ontario, and that that becomes a habit. I think that one should get some really good air time to talk about having a safety zone around our schools, so that no matter where you go, you know that when you're in a school zone and it's marked off, you automatically drop your speed limit. They did it in the entire state of Florida, and guess what? Everybody slows down in front of a school. Why? It's safe for the kids.

**Mr. O'Toole:** I've stayed long enough tonight just to stay and comment, and first of all to listen to the member from Lanark–Carleton, and I think for the members here to respect the time he spent here, most of it productively. He is an engineer and a lawyer. Tonight he received one of the many distinguished awards as an engineer. He has received many over a period of time. In fact, he told me his mantles are full of the awards, and there are more to come.

With respect to the issue of this bill, there seems to be an opportunity here. I heard the chief government whip, the member from Brant, mention that potentially this could go to committee. That's an acknowledgement that there are some fine yet important amendments that would make it much more acceptable for me to represent the feelings of my constituents. But the point I'm really trying to make is that, quite honestly, when you think of it, that admission underlies the fact that they're really not participating in the debate tonight. There are—I could count them—nine or 10 members here. They have to maintain quorum. This is kind of inside baseball. There

are more members here on this side of the House who are willing to participate in the debate. But any of the persons wanting their 10 minutes on the government side aren't taking them. Either they have no knowledge of the bill and its micro-issues, or they don't wish to be fully participatory in the democratic process here.

**2210**

Bill 169, to me, is a kind of threshold where you could either sit down and say nothing—but I think the member from Brant, the chief government whip, has it right: Refer this to committee over the summer and there's a chance that you could get it right. I know the people in my riding want safe streets and community safety zones, which we initiated. This is the next step, the next phase. There's more to be done and I would like to support those initiatives to make our streets safer.

**Mr. Lalonde:** I want to make sure everybody is aware that Bill 169 makes it illegal to arrange for taxi scooping. The bill covers any hotel in Toronto if there is scooping or cookies, as he referred to. Cookies are whenever an unlicensed taxi driver makes arrangements with a hotel doorman to have a customer picked up. That is illegal, and Bill 169 is very clear.

I also want to make sure that when we're talking about the variable speed limit, yes, definitely it's part of the bill. People have been talking about it for years. Any time you drive on the 401, for example, if you happen to be driving 110, cars keep passing you on the road. I have to say that one day I got stopped on Highway 138 by the OPP, and the first thing the OPP asked me was, "When are you going to speak to Norm Sterling and tell him to increase the speed limit?" That was the time he was Minister of Transportation. So I said, "OK, I'll leave the message." I never got my ticket, though; I was fortunate.

But let me tell you what we are doing at the present time. We have verified with other countries that have a variable speed limit—like the Queensway in Ottawa, for example. During peak hours, we could say the speed limit will be 60 or 80 kilometres an hour instead of 100 kilometres an hour. This would give the power to the minister to come up with variable speed limits during peak hours or other times.

**Mr. Dunlop:** I'm pleased to rise tonight to make a few comments on the member from Lanark–Carleton's excellent speech on this bill. Of course he came here tonight to debate, Mr. Speaker, as you might have heard. He has made some fine comments about the bill. I understand that in the end he will likely support the bill. He gave all the reasons, and I think that's why we're here debating this bill tonight. The government and members of the opposition are here to actually debate in the House when the government calls a bill. Again, I stand here in the House tonight and question why the government is not debating the bill.

I think that in the second reading debate, if I'm not mistaken—maybe you can correct me on this—the government has only actually spoken for about 10 minutes on second reading, and that was 10 minutes on the one-hour leadoff. So here we are going into close to seven

hours of debate on this legislation, and we really haven't had any opportunity yet to hear from the government on why they support this very important piece of legislation that most members of this House likely will support in the end.

I also want to comment and thank the member, with all his years of long service here—it was nice to see him get the award tonight. As the member from Durham said, he'll likely receive many awards over the years. He's a very important member of our caucus.

*Interjection.*

**Mr. Dunlop:** No, he'll be here many more years. That's the important part of this. I congratulate the member tonight for a job well done and for winning this prestigious award.

Because I still have 21 seconds left on the clock, I want to emphasize the fact that we haven't heard from the government tonight on this debate. I thought maybe some of the members from the north might want to speak on this important piece of legislation. I'm looking forward to their comments. It's their turn up next and I look forward to many hours of debate on this very important piece of legislation.

**The Deputy Speaker:** The award-winning member from Lanark—Carleton has two minutes to reply.

**Mr. Sterling:** The award what?

*Interjection.*

**Mr. Sterling:** This is being overplayed. The professional engineers were kind enough to recognize Mr. McNeely and Mr. Parsons evenly with myself, so we're all appreciative of that.

If this bill is going to committee, that's fine and dandy, but what we would like to hear from the parliamentary assistant is what the issues are that you would like to hear about, and whether there are some proposed amendments in your back pocket that you might consider putting on the table. Our experience most recently in the social development committee has been that we had 40 amendments dumped on our desk a week ago Monday, and when we arrived this Monday we had another 25 pages of amendments dumped on our desk. We're trying to react to those in a responsible manner in committee and make amendments to the bill. So I ask the parliamentary assistant, could he help us in this case when this bill goes to committee? Do you have some amendments you would like us to consider? The sooner we get them, the more co-operation there will be at committee.

I think a committee hearing will be very loud on the scooper issue. I think it behooves the government to try to sort out some kind of compromise before the committee begins. I believe that in that way we can come out with a reasonable arrangement in amending the existing legislation to satisfy all parties.

**The Deputy Speaker:** Further debate?

**Mr. Norm Miller (Parry Sound—Muskoka):** It's my pleasure to join in the debate this evening on Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters. Actually, the bill that was supposed to be

debated this evening, the bill we in the opposition thought we would be debating until probably half an hour before this evening's session, was Bill 176, which is the bill to do with democratic renewal. I think what we're seeing is democratic renewal as put forward by this government, where they're playing all sorts of games. I know our transportation critic, my seatmate Mr. Wilson, would have loved to have been here this evening had he been aware this bill would be debated. However, as I mentioned, there was no notice this evening. He would have thought we were debating Bill 176, as I did.

These are the sorts of games the government is playing. This afternoon I was in committee for Bill 133, which is the spills bill, and it's going through a similar process. They had the unusual step of public hearings after first reading on that bill and then clause-by-clause, where the bill was basically completely rewritten. There were more than 70 amendments to the bill. Then it was reported back to the House.

Last week, I was involved in that process in committee. I missed one day last week. I missed Thursday because I drove to Montreal for my oldest daughter Abigale's graduation from university. On Friday I was participating in the graduation. We were actually there an hour early to get a seat, waiting for the convocation to start. I had my BlackBerry with me, and I got an e-mail stating that Monday morning at 9:30 there would be public hearings on Bill 133. I e-mailed back saying, "No, we just did public hearings on Bill 133. It's in second reading."

Little did I know that the government had brought in Bill 133 for second reading on Thursday, the day I was away, and was bringing it back to committee for public hearings again today, Monday. Obviously, there was virtually no notice for individuals, environmental groups, companies that might want to come before the committee, and then virtually no time whatsoever for the opposition, or the government for that matter, to make amendments to the bill, because public hearings ended at noon today. Of course, we had question period etc., and then clause-by-clause started at 4 o'clock this afternoon. Certainly Toby Barrett, our environment critic, and myself sitting on the committee had virtually no time whatsoever to digest the recommendations made by those who realized that public hearings were going on and were able to attend on very, very short notice, certainly not with the time that should be given to make some substantive amendments.

2220

So here we are tonight, with Bill 169 being debated rather than Bill 176, the bill we thought we were going to be debating. I note that none of the government members are participating in the debate; they are allowing the opposition to carry the debate.

Let me refer to Bill 169. I think it's safe to say that most of us are in support of a good many provisions of the bill.



This bill increases penalties for cars that ignore pedestrian crossings. I am in support of that, so long as it's publicized well so there are no surprise.

The bill doubles speeding fines in construction zones to better protect highway construction workers. Obviously, if it protects construction workers and actually achieves that goal, it's something I would be in support of. Once again, it's very important to communicate to drivers that this is happening and to have some special signs or excellent communication so drivers are aware that the fines are going to double, especially if the goal is to slow drivers down. That's also the reason it is important to communicate that well.

It would enforce high-occupancy vehicle lanes to encourage carpooling and transit use. Once again, I think that's a laudable goal. If you've driven around Toronto and southern Ontario lately and have been involved in some of the gridlock around here, we need to do all we can to encourage carpooling, to encourage people to use public transit. I note that the member from Durham has a private member's bill meant to encourage the use of public transit, Bill 137. That bill would allow people to deduct some of their expenses in using public transit, so it would encourage the use of public transit. I think that's a very worthy bill and it's one I'm hoping the government will support, to allow that private member's bill to go through. Not too many private members' bills become law, but the member from Durham has put forward a worthwhile one where you encourage and support users, through some financial means, through the tax system, to make better use of public transit.

**Mr. O'Toole:** On a point of order, Mr. Speaker: I seek unanimous consent to ask the members of the House to pass Bill 137, the transit tax issue. Agreed? I heard a no from Mr. Watson, the minister.

**The Acting Speaker (Mr. Ted Arnott):** There is no consent. The member from Parry Sound-Muskoka has the floor.

**Mr. Miller:** I didn't realize that mentioning his private member's bill would get the member so excited and lead him to request for unanimous consent, which cut into my time. I'm glad to see he's participating and listening to what's going on in the debate.

Bill 169 would also create new offences for flying vehicle parts, which can cause serious injury or death to other highway users. I think the opposition parties, as well as the government, want to see our highways safer and would support this.

It would improve daily commercial vehicle inspection standards by requiring truck drivers to check for more than 70 itemized defects daily, up from the current 23. Hopefully, this actually achieves something, but in theory it sounds like a worthwhile idea.

It would allow for the use of studded tires on vehicles in northern Ontario. I have to say that is moderately controversial, and I have some questions about how that would be put into effect, particularly when half of my riding is now in the north, in terms of government funding policy, and half is in the south. That means Parry

Sound is in the north and Muskoka is in the south. I assume that means that people in Parry Sound are going to be able to use studded tires but those in Muskoka aren't. I guess if you drive back and forth, you just change your tires midway along the highway.

The new snow tires that have been around for the last 10 or so years, with the new types of rubber, are very effective. If the government just encouraged everyone to put four snow tires on their vehicle, it would probably accomplish more than using studded tires. On dry pavement, I believe studded tires actually do not have as significant performance as regular tires. If we encouraged all users to use some of the new types of snow tires—I do use four snow tires—I think that would achieve the needed safety on the highways.

I'd also point out, as someone who drives from Parry Sound-Muskoka down to Toronto on a regular basis, that some of the worst weather you run into in the province is the weather that comes off Georgian Bay. I suspect that with the icy type of conditions you get, if there is a need for studded tires further north, then there is definitely a need in the Barrie area and the area to the lee of Georgian Bay.

I believe another issue with studded tires is the damage they're going to do to highways. I would want to ask the municipalities how they feel about studded tires, because municipalities are responsible for many of the smaller highways, and they may have concerns with the damage that would be created on their highways.

This bill would also allow land to be dedicated for new carpool lots and transit stations during planning stages. I'm certainly in support of that.

It would improve transit commute times by allowing transit vehicles to pre-empt traffic signals to lengthen a green light or to change a red light to green sooner. As I mentioned, with the challenges we face with gridlock, most of these proposals make sense.

It would give police more power to clear accidents and spills faster. Police powers to remove vehicles and debris from the roadway would be clarified under the bill, which would also protect police, the province and municipalities from liability. I suggest that is coming out of some of the work that was done by the past government's Red Tape Commission, which this government has scrapped, in the incident management study they did. I'm glad to see that is making its way into this bill.

This bill also creates an offence to punish scoopers, illegal taxis that pick up passengers from Pearson International Airport. I would say that this is a relatively controversial part of this bill and I believe a part that deserves more public input. In the last number of weeks, we've seen the other side: the taxi drivers of Toronto who have concerns with this provision of the bill. We've had taxicab drivers driving around Queen's Park, honking their horns for a good part of the day, and I would suggest that is because they're not happy with this part of the bill. I believe it's important for us to get public input and to hear from the cabbies and from the limousine

drivers as well to make sure that things are balanced. Under this bill as it stands, the driver, the person who arranges the ride and the taxi owner could be fined from \$300 to \$20,000 and failure to pay could result in licence suspension or plate denial at renewal time. That's very serious business. In the case of a cabbie, it's their livelihood. It certainly is something we should be taking a further look at and holding public consultations on.

This is Bill 169. I suggest we should call it Bill 69 in reference to Highway 69. Go to page 123 of the recent budget that was just introduced in this Legislature. There is a section talking about highways. It talks about the four-laning of Highway 69. For those of you who might not remember, back in 2002, Ernie Eves committed to four-laning Highway 69 to Sudbury in 10 years; that would be in 2012. Now in 2005, in this budget, it says—I'll read from the budget: "This includes moving forward with the completion of four-laning projects on Highway 11 and 69, in seven and 12 years respectively." So now in 2005, the government is saying it'll be 12 years to four-lane Highway 69 to Sudbury, meaning 2017, versus the previous commitment of 2012, a five-year delay. I would say this bill is about speed limits, certainly. It's the "go slow on building 69" bill.

2230

The Minister of Northern Development and Mines thinks this is good news. You know, the minister was the first one to jump up and down, and demand action on 69 when he was in opposition. In fact, a recent article in the Sudbury Star, entitled "The Longest Highway," talks about that very issue. That's May 14, 2005. "It's better than no plan"—referring to the budget—"which is what northerners had last month."

Talking about Minister of Northern Development and Mines, Rick Bartolucci, the article states:

"The day the Tories finally did agree to four-lane Highway 69, then—November 21, 2002, in case you've forgotten—has been a thorn in the side of Bartolucci and the Liberals ever since.... The 10-year, \$1-billion plan was hugely ambitious.... A year later, Bartolucci would find himself Minister of Northern Development and under the gun to deliver a plan to four-lane Highway 69 that was sounder—if not faster—than Eves's. And now, 18 months after becoming minister, he still has not done it.

"Let's recap. After taking office in November 2003, Bartolucci promised an 'action plan' for completing Highway 69 within months. In May 2004, Bartolucci and Premier Dalton McGuinty again promised an action plan for the long-term reconstruction of the highway by the end of that summer"—so that's 2004—"Eventually, that action plan was pushed back to the new year. From there, it was pushed back to the budget released this past week. And, following that budget, Bartolucci insisted the action plan is completed and that David Caplan, Minister of Public Infrastructure Renewal, would be in Sudbury at some point this summer to explain it to us.

"All of the details of the government's plan are going to be rolled out by the minister as he rolls out the plan,"

Bartolucci told an appreciative group of friendly Rotarians this week. Simple....

"And now, finally, we learn that the reconstruction of Highway 69 will be completed in 12 years—by 2017, or five years later than Eves had promised. And we still don't have a price tag.

"Is it a good deal, then? It's better than no plan, which is what northerners had last month. But still not as good as the plan in place before the Liberals came to power. And there's the rub. If the Tories had offered this plan while Bartolucci was in opposition, he would have ripped it to shreds. It took too long ... it's still incomplete ... there's still no money ... Northerners can't wait 12 years, he'd argue....

"What Bartolucci has succeeded in doing in the last 18 months is lowering our expectations regarding Highway 69. This announcement appeases those lowered expectations but does not match the expectations he set in opposition. Is it good enough? Twelve years is a long time to find out."

So things have changed since the minister moved from opposition to government. We now have the "go slow" plan on building Highway 69 and four-laning it from Parry Sound to Sudbury, a five-year delay from what was previously announced. On Highway 11, we have a two-year delay, as the government has committed now to four-lane Highway 11 to North Bay in seven years.

The minister also talks about his northern prosperity plan. I note in the recent Thunder Bay newspaper that the prosperity plan seems to be having a little bit of difficulty. It says: "Thunder Bay Ranks Dead Last in Bank Survey." So obviously, the prosperity plan is not working too well. In this article, it is an economic activity index that puts Thunder Bay in the last spot of the 25 largest cities in Canada. It is done by the CIBC. It measured year-over-year changes in eight key areas, including population, housing, prices and bankruptcy statistics to come up with city ratings.

"Mary Long-Irwin, who's the president of the city's chamber of commerce, said issues facing the forestry industry—including the high Canadian dollar, softwood lumber dispute and high energy costs—are causing serious economic problems in the city.

"Long-Irwin said how well the local economy bounces back will depend on what the provincial government does to help the ailing forestry sector."

I recently completed a six-day, 3,700-kilometre trip that included stopping in Thunder Bay and meeting with the president of the chamber of commerce. I can tell you that the forestry industry is very concerned, particularly with energy costs and what effect the government's plan to shut down the coal-fired energy plants, especially the Thunder Bay and Atikokan plants, will have on the local economy and the forestry mills. Every town in northern Ontario has as its feature a huge forestry mill.

Also, highways are a big concern in that area. The four-laning of the highway is a real concern. It's my feeling, having made that trip, that the government should be involved in four-laning the Trans-Canada right



across this province and, in fact, right across the country. It should be engaging the federal government and getting them to support an initiative to have a four-lane Trans-Canada right across the country. That's very important for the economy of places like Thunder Bay that are obviously struggling under this government's northern Ontario prosperity plan. If you've visited Thunder Bay, you'll know that's a real shame, because it's a beautiful city. It has a lot of potential, and this government needs to support Thunder Bay so it can realize its potential.

I've used up all of my time speaking about Bill 169, and I look forward to questions and comments.

**The Deputy Speaker:** Questions and comments?

**Mr. Lalonde:** I just want to make it clear: The member for Parry Sound–Muskoka referred to studded tires, saying that people will have to change tires when they move from one area to the other. Let me tell you: It's where the car is registered. If it is in the south section of his riding—his riding is split in two; half of it is in the northern area and the other half is in the southern area—the people residing in the southern part of his riding won't be allowed to put those tires on. But the people who are living in the northern part of his riding will be allowed to travel anywhere in Ontario with studded tires. I just wanted to make sure that he understood that. I think he knew already, but he just wanted to bring it up.

Also, the other section that he referred to was quicker clearance of highway accidents. According to the Central Ontario Smart Growth Panel report, the cost of highway congestion is approximately \$1.8 billion a year. That is what it's costing the business people of Ontario whenever there's an accident on the 401, for example, and it takes time to clear up the debris from the accident. We want to give the authority to police officers to make sure that tow truck people are there and cleaning up the highway immediately, so traffic can continue wherever the accident occurred. That is the point.

**Mr. Dunlop:** I'm pleased to stand here this evening and speak to the comments made by my colleague the member from Parry Sound–Muskoka. I can tell you, as the member for a neighbouring riding, this man has received a great deal of respect for his hard work in the riding. A lot of it has to do with the way he has tried to defend against some of the actions of the McGuinty government, in particular, moving Muskoka out of the north, which seemed to be a very mean-spirited attempt by the government in the 2004 budget; and more recently, the closing of the Frost Centre. The member for Parry Sound–Muskoka has worked extremely hard trying to ask the government to reverse those decisions and treat the people of Parry Sound–Muskoka with some respect.

However, he brings some interesting points up when he discusses Bill 169—his comments on the studs in the tires in northern Ontario.

2240

I'm glad the parliamentary assistant clarified that. I had no idea that someone living around South River or Sundridge might not know what to do with their tires. If they're heading south to Huntsville, chances are they're

going to have to take the studded tires off and put on regular tires because they'd be breaking the law, and the opposite going to the north. That's going to be really handy for those people around the border of the member from Parry Sound–Muskoka's riding. I hope they don't expect to come down to Toronto. We don't have a cancer care unit anywhere up that way, so we'll have to drive all the way to Toronto because the government won't pass one in Barrie.

I thank the member for his comments; he did a great job. And I appreciate the hard work he does in his riding.

**Ms. Churley:** I thought I would stand and respond to the member's speech, if for nothing else than just to let my constituents know I'm still here listening to the debate tonight and participating. I've been quiet for the last little while, listening with great care to all the comments made tonight, and certainly there are a lot of good points being made; all the more reason we should just end the debate on this bill and get it to committee.

*Interjection.*

**Ms. Churley:** You haven't rung any bells lately.

There are a number of good points being made and some amendments that need to be made. From what I'm hearing, I think there are parts of this bill that members from my party and from the opposition Conservatives support, and there are others that we don't and amendments need to be made. But overall, the comments I'm hearing tonight are that there is a great deal of support for parts of the bill, and it's not contentious in that sense. So let's get it to committee, get the amendments made and get it back to the House for debate and a final vote.

I certainly wish we were here tonight debating the adoption disclosure bill, which has brought out passions from all sides of the House and where there are a lot of interesting points of view being put forward. But there is a large constituency out there who are looking forward to having the Legislature finally, after many, many years and many attempts, get an adoption disclosure bill put forward in this Legislature. It is being held up in committee, being filibustered instead of getting on with it, getting the amendments brought forward and having the bill brought back to the House for debate and demonstrating what true democracy is. Do that and have the final vote on it.

**Mr. Jeff Leal (Peterborough):** I listened very carefully to my good friend the member from Parry Sound–Muskoka. He certainly made some points that were worth thinking about.

I'm spending more time now on the 401 between Toronto and Peterborough. One of the things I find is that we see a lot of debris on the 401. Often you see tires and other material that has obviously become detached, particularly from heavy transport trucks. I think this bill, particularly subsection 107(1), is very, very important. I just want to read it into the record, because I think it says a lot about what we're trying to do to enhance road safety. It says, "Every operator shall establish a system, and prepare and keep a written record of that system, to periodically inspect and maintain all commercial motor vehicles and vehicles drawn by commercial motor vehicles

that are under the operator's control and that are operated or drawn on the highway."

We've all heard and witnessed in the media accounts about serious accidents, very tragic accidents, particularly on our 400-series highways, of tires flying off and hitting other vehicles resulting in serious injury or even death. What we have found out after inspections were made by the MTO is that there are no records of a lot of these trucks that are on our roads. One of the things that I think is incumbent upon us is that if there are a lot of heavy vehicles on the road, then there should be maintenance records so we have a tool to do more inspections to make sure we enhance safety on our roads, particularly the 400-series highways.

The other part of this bill that's important is some flexibility in looking at speeds. Coming from the 401 into Peterborough is a four-lane highway, 115/35. I happen to think the speed limit there should be raised from 90 to 100, which would move traffic on further.

**The Deputy Speaker:** The member for Parry Sound-Muskoka has up to two minutes to reply.

**Mr. Miller:** Thank you to the member from Glengarry-Prescott-Russell for his comments about where people in Parry Sound-Muskoka should be registering their cars if they decide to use studded tires. I can assure you that everybody in Muskoka is going to be heading up to Parry Sound to register their cars if that's the way it works. You have to register in Parry Sound to be able to get studs if you decide that you do want to use them.

I note that he mentioned the Smart Growth panel. The Smart Growth panel was put together by the past government and had many good ideas. As I previously mentioned, the part of this bill that allows highways to be cleaned up faster after an accident—a good part of that comes from the Red Tape Commission's instant management study that was done.

I note that the member from Toronto-Danforth is more or less supporting the bill and did make mention of Bill 183, to do with the disclosure of adoption records. I think it is worth pointing out that the privacy commissioner has some concerns about aspects of that bill. Certainly, I supported the bill on second reading, although I do have concerns as well and would like to see the privacy commissioner's concerns addressed as we move forward with that bill.

I note that the member from Peterborough talked about debris on the 401. Hopefully, one aspect of this bill will deal with debris coming off vehicles. I think it's safe to say that all of us here at the Legislature are in support of actions we can take that will enhance road safety.

**The Deputy Speaker:** Further debate?

**Mr. Jerry J. Ouellette (Oshawa):** Before I begin, I should say that it's been a little bit of a tough day. Suffice it to say, "So long, Bailey, old friend. We'll miss you."

We are here to debate Bill 169, although I was expecting to debate 176 earlier on; however, during government processes, or processes in this Legislature, we both use tactics, and at 5 o'clock we did find out about a change.

I would like to mention that when you're in opposition, whether it's an individual member who uses

the Legislature to bring attention to his own caucus—I've done it on a number of occasions when I didn't agree with the process and felt I was being excluded. Sometimes other processes are necessary. If people feel that we're trying to talk out the clock, then those may be the processes we need to use. But there are some issues on Bill 169 that I did want to bring forward.

I know that in the past, various aspects have been tried by various governments for assisting. I can remember that David Turnbull had a strong belief that variable speed limits would work very effectively. His belief was that the signage on the 401 would indicate the speed you're able to go. If it was raining or when there were high traffic volumes, they would reduce the speed limit, but when it was free and clear, they could increase the speed limit.

I spoke with a deputy chief of police who informed me that most of the time those are established by the roadway in itself. People see that the road is free and clear, and will be able to best decide what the speed limit should be. When you get a variable speed limit at certain times, how is the enforcement aspect going to take place? I would hope the Sol Gen's office and the AG's office have been made part of this process, because changing the Highway Traffic Act will certainly have a strong impact on the way the courts perceive this, and hopefully that has been brought forward.

I would hope that during the committee process Cam Woolley, for example, has the opportunity to present on some of the changes that are coming forward, because, quite frankly, Cam won't beat around the bush. He's an OPP officer who I'm sure everybody has seen on TV. If you haven't had the opportunity to meet him, he'll certainly lay out exactly the facts and the way they work.

I should mention before I go much further that I will be sharing my time with the member from Simcoe North.

There were a few other things I wanted to mention as well: the due diligence when you're talking about parts falling off a vehicle. When we first came in in 1995, I was parliamentary assistant to Al Palladini, the Minister of Transportation at that time. We had extensive work on a truck tire incident at that time. Due diligence was the key component to make sure it worked in the courts.

I know the PA is here. I hope that during this process they have checked with the enforcement branches, because what has taken place in the past is that they haven't taken the opportunity to check with the enforcement branches to make sure all this legislation is enforceable. I've already mentioned the variable speed limits: How is that going to be enforceable? When that time changes all of a sudden, there is a large traffic flow, you drop 20 kilometres and somebody gets charged on that aspect; whether you bring in photo radar or not, you're going to have to have time clocks and all those sorts of things to account for that.

**2250**

The other thing is the lanes. When you talk about the lanes and the number of occupants in the vehicle, I would also hope—I'm talking about Cam Woolley—that you talk to them and ask them whether they feel that their



time in enforcement on the highways is best spent in making sure how many people are in the vehicle or what's happening on the roads. From my perspective, road safety is one of the key issues, and I would want to make sure that our roads are as safe as possible.

As the member from Peterborough said, driving back and forth on a regular basis from the Legislature to the riding of Oshawa, where I'm from, you certainly see a number of various driving habits, and I would hope the OPP's focus would be on driving habits, as opposed to occupancy within vehicles.

**Mr. O'Toole:** What about the 401 widening?

**Mr. Ouellette:** The member from Durham mentions the 401 widening. Yes, the widening is going on on a regular basis, and there are a couple of things we're able to do in that area. Moving from the aluminum centre cores to the concrete ones allows for the expansion, and that way you can get tighter lanes and put more lanes in there so you don't have to expand the highway as much. Mind you, the paved shoulders aren't quite built to the same standard as the other parts of the highway.

**Mr. O'Toole:** What about Stevenson Road, though, the Stevenson Road interchange?

**Mr. Ouellette:** We're going to get to the Stevenson Road interchange.

The studded tires in the north: I know there was quite a bit of research done on this, and that's how the new technology came forward for the salt brine vehicle that was developed in conjunction with the Ministry of Transportation. For those people watching, what takes place is that when the salt trucks go down and spread the salt around, it's not until the actual salt starts to melt, and it's that salt water that expands on the road that actually breaks down the salt enough so that you can drive on the road. What MTO developed was that as opposed to putting on solid rock salt, they put on a watered solution with salt in it, which sped up that process and decreased the amount of salt being used on the roads.

When you're talking about studded tires, one of the big concerns was the amount of damage to the roads that takes place when you're using studded tires. Has that been looked at? When you take those vehicles from northern Ontario, they're going to be allowed to drive in southern Ontario with the studded tires. What's the impact going to be, and what's the impact in northern Ontario for road damage? The volumes are a lot less in the north, so you wouldn't expect the same. However, in the south, when you start getting a high number of vehicles coming down here, what is the impact going to be? Also, I would hope the PA would note, what happens if somebody has a cottage in the north? Can they register their vehicle at their cottage so they can use the studded tires if they see fit? Is that one of the issues that can be addressed as well?

The member from Durham mentioned the Stevenson Road interchange. I brought up the question several weeks ago to the Minister of Transportation, and it was mentioned that 20 of the 21 properties, or 21 of the 22 properties, have been acquired, but they were having some

difficulty. If there's anything we're able to do to speed up that process—I've made that offer in the past. I haven't heard anything from the minister, but we're certainly trying to work on behalf of the minister to speed up that process so we can get those vehicles moving that much faster. I know from my contacts within MTO that actually the reason the process for putting that interchange in at Stevenson Road is not going to be a quick two years but has expanded to four or five is because of traffic flows. What that means is that they could probably speed up the process of putting that interchange in; however, it's going to slow down the traffic congestion in that area substantially. So Mr. O'Toole, driving from Durham to Queen's Park, will come into a lot more traffic when he goes through that intersection as opposed to—

**Mr. O'Toole:** Take the GO train—

**Mr. Ouellette:** Well, the interchange is on the other side, so you might have to get off quite a bit earlier if you wanted to take the GO train.

That's the reason for the expansion there to four years, to minimize the impact on traffic flow through that area.

Those are some of the key things. The variable truck speeds as well: There was quite a bit of research done. I hope the PA has already looked at the research that has been done as it relates to two areas. In one in Alberta, they had different speeds for trucks, and they found that the accident rate changed. I don't remember the exact statistics, but I hope they have an opportunity to look that up, because statistically there were a lot more accidents when you had trucks going one speed and cars going another. It was difficult, whether it was time of day and lanes when you're changing lanes, or whether it was just the mere fact that you're coming up behind a slower-moving vehicle—the impact that had taken place in Alberta.

Also, a number of members spoke about increasing the speed limit to 120 kilometres. That trial balloon was sent out, again, with Minister Palladini when he was there. The largest response we received from the ministry at that time was actually from the emergency room doctors, who were adamantly opposed to having the speed increased to 120 because of the impact on emergency rooms at that time. The OMA had a report on what would happen if the speed limit was increased to 120, and I would hope the minister and the PA will also look at the data that's already there.

Sometimes we go through this process in reinventing the wheel, when there's a lot of information out there and a lot of things have been tried. I know that a significant number of people within the Ministry of Transportation have retired or moved on to other areas. However, that information and data are there, and I would hope that the minister would look at it, because it's certainly going to save a lot of time in making sure that the best things are taking place.

I know the member from Simcoe North has a large number of things to say, so at this time I will turn the floor over to the member from Simcoe North.

**Mr. Dunlop:** I'd like to thank the member from Oshawa for his comments and for sharing his time with me for

this very important part of the speech. There is getting to be a lot of competition for speaking time tonight because this is such an important bill. So many people in our caucus want to speak to it that they're coming in from all over the place tonight. Maybe we could extend it past 12 o'clock if we had to, because it's so important.

Anyhow, I need some time to prepare for my comments, so I'd like to move adjournment of debate.

**The Deputy Speaker:** The member for Simcoe North has moved adjournment of debate. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say aye.

All those opposed, say nay.

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2257 to 2327.*

**The Deputy Speaker:** All those in favour will stand and be counted by the Clerk.

Take your seats.

All those opposed will please stand and be counted by the Clerk.

**The Deputy Clerk:** The ayes are 6; the nays are 25.

**The Deputy Speaker:** I declare the motion defeated.

**Mr. Dunlop:** I'm really sorry that didn't pass, but unfortunately that's democracy. What's sort of undemocratic is that we've actually had an opportunity tonight for the government members and the opposition to speak for five hours and 15 minutes, a really good opportunity. The loyal opposition has spoken for—

**Hon. Steve Peters (Minister of Agriculture and Food):** You've wasted an hour and a half.

**Mr. Dunlop:** The Minister of Agriculture is nattering away over there, as usual. Tonight the loyal opposition has spoken for three hours and 15 minutes on this bill.

**Interjection:** Tell us how long you rang the bells for.

**Mr. Dunlop:** We rang the bells for 90 minutes. Do you know why we rang the bells? Two reasons. One—

*Interjections.*

**The Deputy Speaker:** Member for Simcoe North, I would like to hear a bit about Bill 169, which is under debate at the present time.

**Mr. Dunlop:** I will be supporting Bill 169. That's the first thing.

I think we've made some good points. The member from Lanark-Carleton had all these ideas and plans originally when he was the Minister of Transportation, and so did the member from Oak Ridges. They put it all together. Like a lot of things we did on this side of the House, you've now sort of capitalized on them. You're trying to take credit for some of the things that former Minister Sterling brought forward as Minister of Transportation, and that is shameful.

What we're disappointed in tonight on Bill 169, and I've brought this up before, is that it's only second reading and you want to go to committee. We have not heard what the government plans to do in what I would consider to be reasonable debate in this House. When the Minister of Transportation stands up for five minutes and the parliamentary assistant stands up for three minutes, and that's considered their leadoff speech, I've got a real problem with

that. You're allowed a one-hour leadoff and then 20 minute rotations.

*Interjections.*

**Mr. Dunlop:** We know one thing: He knows there is a stud tire program as part of this particular bill.

We have a problem with that, as members of the opposition. Why would the government not want to bring forward, over and over again, their concerns in this debate on Bill 169? You've heard a lot of good comments in this House tonight from the members of the opposition. I think we've done a really good job bringing forward, in over three hours and 15 minutes of debate, of loyal opposition members' time—we didn't have to sit here to midnight.

The member who is under pressure, the member from Windsor-St. Clair, the Minister of Energy, has a lot of problems. He had to make sure he provoked the whole House by sitting until midnight, and that's exactly what he did. If that's what he wants to play for the next week or the two next weeks or until July 1, I can tell the members of the government right now that we're prepared to sit here until July 1 or beyond, if you wish to do that. Saying that, we understand the government doesn't want to debate the legislation they bring forward. That's what is disappointing. So we will sit here until July and we will have evenings just like this over and over again. You talk to your House leader if you want to continue down this path, because that's the path it's going.

**Hon. Gerard Kennedy (Minister of Education):** Until August.

**Mr. Dunlop:** You wouldn't sit until August. You're afraid of question period.

*Interjections.*

**The Deputy Speaker:** Order. The member for Simcoe North, I'd like you to speak through the Chair and address Bill 169, please.

**Mr. Dunlop:** I am so provoked by the heckling on the other side that I move adjournment of the House.

**The Deputy Speaker:** Mr. Dunlop has moved adjournment of the House.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 2333 to 0003.*

**The Deputy Speaker:** Will members take their seats, please.

Mr Dunlop has moved adjournment of the House.

All those in favour, please stand and be counted by the Clerk.

Take your seats.

All those opposed will please stand and be counted by the Clerk.

**The Deputy Clerk:** The ayes are 1; the nays are 19.

**The Deputy Speaker:** I declare the motion lost.

It being past 12 of the clock, this House is adjourned until today at 1:30 of the clock.

*The House adjourned at 0004.*



# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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| Sault Ste. Marie                                 | Oraziotti, David (L)   | York Centre /<br>York-Centre                                  | <b>Kwinter, Hon. / L'hon. Monte (L)</b><br>Minister of Community Safety and<br>Correctional Services / ministre de la<br>Sécurité communautaire et des Services<br>correctionnels   |
| Scarborough Centre /<br>Scarborough-Centre       | Duguid, Brad (L)   | York North / York-Nord  | Munro, Julia (PC)   |
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| Scarborough Southwest /<br>Scarborough-Sud-Ouest | Berardinetti, Lorenzo (L)  | York West / York-Ouest  | Sergio, Mario (L)   |
| Scarborough–Agincourt                            | <b>Phillips, Hon. / L'hon. Gerry (L)</b><br>Chair of the Management Board of<br>Cabinet / président du Conseil de gestion<br>du gouvernement   |   |   |
| Scarborough–Rouge River                          | <b>Curling, Hon. / L'hon. Alvin (L)</b><br>Speaker / Président   |   |   |
| Simcoe North /<br>Simcoe-Nord                    | Dunlop, Garfield (PC)  |   |   |
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| St. Paul's                                       | <b>Bryant, Hon. / L'hon. Michael (L)</b><br>Attorney General, minister responsible for<br>native affairs, minister responsible for<br>democratic renewal / procureur général,<br>ministre délégué aux Affaires autochtones,<br>ministre responsable du Renouveau<br>démocratique |   |   |
| Stoney Creek                                     | Mossop, Jennifer F. (L)  |   |   |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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Honourable Alvin CurlingPrésident  
L'honorable Alvin CurlingClerk  
Claude L. DesRosiersGreffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 7 June 2005

*The House met at 1330.  
Prayers.*

### ESTIMATES

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** I have a message from the Honourable Lieutenant Governor, signed by his own hand.

**The Speaker (Hon. Alvin Curling):** The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 2006, and recommends them to the Legislative Assembly.

### MEMBERS' STATEMENTS

#### RURAL ONTARIO

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** If I have said it once, I have said it a thousand times: The McGuinty Liberals have turned their backs on rural Ontario. Time and time again we've seen legislation and over-regulation encroach upon the rural way of life. It has hurt our local economies and industry. Even rural health and education always come as a last priority to a government more concerned with its urban agenda. Made-in-Toronto policies do not work in rural Ontario. As we continue see, rural livelihoods are being damaged by a government that clearly couldn't care less.

I've received a report from the Renfrew County Coordinating Committee for Rural Action, a group comprised of various organizations that represent rural interests. This committee has prepared an insightful report entitled *The Rural Ontario Challenge*, which I've mailed to all members of this Legislature. It highlights many of the problems in rural Ontario and expresses the extreme frustration of rural Ontarians, that their concerns have been forgotten and their problems ignored. They discuss in their report specific items that span everything from environmental issues to a lack of support for our farmers to unfair and excessive taxation. Ultimately, they stress that their wealth, their livelihood and the values of rural Ontario are under attack, and this is wrong.

I would ask all members of this House to please review *The Rural Ontario Challenge* and respond to the committee with their comments. Something must be done immediately to rectify the wrongs of this government and

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 7 juin 2005

its attitude toward rural issues. I ask all members of this House today to give this report their full attention.

### POST-SECONDARY EDUCATION

**Ms. Judy Marsales (Hamilton West):** I'd like to take a moment today to talk about the achievements our government has made in providing greater opportunities for young Ontarians seeking to obtain a higher education through funding our colleges and universities to enhance apprenticeship programs, college equipment and facilities.

MaryLynn West-Moynes, president, Mohawk College of Applied Arts and Technology, says: "On behalf of Mohawk College ... our staff and students, I am writing to thank you for the investment your government has chosen to make in post-secondary education. The courage to put postsecondary education in the forefront demonstrates a clear sense of priorities."

In this year's budget, the McGuinty government made an unprecedented funding announcement of \$6.2 billion for postsecondary education, which represents the most significant increase to postsecondary funding in 40 years. We need to ensure that our colleges and universities are able to provide the best resources for our students. This funding will help our colleges achieve that goal.

I want to applaud the good work being done at Mohawk College to train and educate the next generation of hard-working people from my community and across Ontario. Young people who consider a career in a skilled trade have a prosperous future ahead, and I'm proud to say that I come from a community that has produced so many of those great workers over the years.

Mohawk College will also benefit from funding through the modernizing college equipment fund and the allocation of funding through the facilities renewal allocation program.

### HIGHWAY CONSTRUCTION

**Mr. Tim Hudak (Erie-Lincoln):** If the government really wanted to have successful implementation of its greenbelt legislation in Niagara, it would invest in two major transportation corridors: the mid-peninsula highway as well as the 406 south. The members opposite know that if they freeze growth in the north, the grow south initiative should be supported 100 percent, which includes four-laning Highway 406 and expanding it to Port Colborne.

Unfortunately, to date the minister has only responded with platitudes on these highways, with vague commitments and referrals to studies that were completed as far back as 2001 for the mid-pen and design for the 406 expansion to four lanes in September 2003.

As I've said in the House many times, as my colleague from Niagara Centre has said many times, extending the 406 to Port Colborne, expanding it to four lanes down toward Welland, is an essential investment. This should not be lost on my colleagues opposite. I know the minister for infrastructure renewal is going to be very supportive of this initiative. We're calling on him to announce it very soon, because other highways like the 401, 417, 404, 427, 402—the entire series of 400-series highways—got specific mention in the budget except for—

#### *Interjections.*

**Mr. Hudak:** All right, except for the 406 and maybe the 420, but the other ones did. It's up to 27,000 cars a day, the busiest stretch of two-lane highway in the province. It will complement the mid-peninsula corridor as well. I call upon the McGuinty government to actually get moving on these two important projects.

#### RICHARD POTTER

**Mr. Ernie Parsons (Prince Edward—Hastings):** I would ask that the House join me in welcoming back, in the members' east gallery, Dr. Richard Potter. Dr. Potter in his first 91 years has accomplished a great deal: exemplary service during World War II overseas, mayor of Belleville, beloved family physician, and MPP for Quinte from 1967 to 1975. During that time, in the Bill Davis government, Dr. Potter served as Minister of Health, and continues to be recognized and applauded for his accomplishments.

It has been said by many that Dr. Potter is the father of home care, something of which he should be very proud. We had the opportunity today to have lunch with the current Minister of Health, and everyone will be pleased to know that he has endorsed what the current Minister of Health is doing, so we appreciate the all-party support on this issue.

Dr. Potter continues to make our province a better place to live. He continues to be actively involved in his community, actively giving advice and suggestions, and I very much appreciate it. Sitting to his immediate right, I would also welcome back Mr. Hugh O'Neil, former MPP for Quinte and former cabinet minister. It has been an absolute delight to have them with us, and I hope Dr. Potter will return.

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#### NEWBORN SCREENING

**Mr. John R. Baird (Nepean—Carleton):** I'm pleased to rise in support of advancing the cause of newborn screening in the province of Ontario. Last week, on June 1, John Adams and a number of parent advocates

visited Queen's Park to talk about the importance of screening more young babies for serious disease. They were really giving Ontario a call to action to fill the gaps in newborn screening and to develop an inclusive and comprehensive system for saving babies from rare but serious conditions which can do these newborns great and serious harm.

If we look at the diseases that we screen for in children—we have a newborn screening program in the province of Ontario. I have the form right here today. If we advance just a few more tests, we could save lives and save many newborns in Ontario from very serious conditions.

Through the screening initiative which was first begun in the 1960s through a private member's bill by Stephen Lewis, Ontario was at that time at the forefront of newborn screening. The sad reality is that Ontario has now fallen behind 44 different states in the United States. The parent advocates and medical physicians who were here last week are calling on Ontario to expand newborn screening so that we can save even more lives and have a greater quality of life for those children who are tested.

I have a private member's bill, Bill 101, that will accomplish just that. It was a bill that was first introduced by the member for Windsor, the now Minister of Energy. Bill 101 would do a terrific amount of good to support this initiative. It would ensure that every child is tested. The cost of this testing could be as little as \$25 to test a child. I think \$25 could be spent in no better way than on an expanded newborn screening system. Ontario must once again rise to the top of North America and not sit at the bottom.

#### AIR QUALITY

**Ms. Marilyn Churley (Toronto—Danforth):** A just-released Toronto Public Health study, done with the federal government and McMaster University, cites that air pollution is killing 822 people a year in Toronto. The transportation sector was identified in the study as the most significant contributor to smog in Toronto—surprise, surprise. It is time that the McGuinty government started putting its money where its mouth is and started funding transit at the levels required to begin to bring down levels of air pollution.

The TTC transports 1.4 million riders per day, and GO Transit moves about 170,000 riders per day, yet the TTC and GO Transit are among the least-supported transit systems in North America. In 1992, the provincial government was responsible for 80% of the total costs of GO Transit, whereas the fare box accounted for the other 20%. But in 2003, this has been reversed, with the government being responsible for only 20% and the fare box funding 80% of the costs.

Government must fund transit; this government must fund transit. The government's land use planning initiatives, both the greenbelt and the Places to Grow legislation, are failing to curb urban sprawl. The northern boundary of the greenbelt in south Simcoe county has



become the Wild West of land development and speculation, and thus leapfrog development is contributing to more urban sprawl. The Places to Grow legislation talks the talk but doesn't walk the walk. There are new major highways and road extensions into and around the greenbelt to fuel further sprawl.

We need a coordinated transportation and land use planning strategy to curb sprawl, and we need it now to prevent those premature deaths in Ontario.

### GOVERNMENT'S RECORD

**Mr. David Orazietti (Sault Ste. Marie):** As we near the conclusion of this year's spring session, it gives us an opportunity to reflect on the achievements of our government and, as the member for Sault Ste. Marie, the achievements in my community. In less than two years, we have made record investments in the key areas of health care and education, strengthened our economy through partnerships in the auto sector and passed greenbelt legislation to protect our environment. Where past governments have failed to protect our public services and failed to be accountable with Ontario's finances, we have put our province on a more solid financial footing by reducing our deficit by \$2.5 billion this year.

Clearly, the path Ontarians are on today, with peace and stability in the education sector, greater access to our colleges and universities, a steady reduction of wait times in health care and confidence in our economy gives us all a greater sense of hope about our future.

In my riding of Sault Ste. Marie, our investments are making a significant difference. The functional plan of our proposed \$200-million hospital has been approved, with a radiation therapy bunker. The Group Health Centre has a new contract worth \$26 million. Our \$5.6-million investment will help complete a truck traffic link to the Sault Ste. Marie International Bridge. A \$3.7-million provincial investment will be put toward the construction of a new, multi-purpose entertainment and sports facility, and a \$1.5-million investment from the northern Ontario heritage fund will help assist a new flakeboard plant to open this summer, creating additional jobs.

I think all Ontarians can be proud of the progress we have made and will continue to make over the next several years.

### HEALTH CARE

**Ms. Laurel C. Broten (Etobicoke-Lakeshore):** When we came to office, Ontarians expected us to clean up the incredible mess in our health care system. Our underserved communities had been ballooning for years, and over one million Ontarians had been left without access to a family doctor or to basic levels of care. Wait times just seemed to be getting longer and longer. Nurses and doctors were fleeing the province because they faced a government that treated them as a secondary concern to tax cuts. Our long-term-care homes went

without inspections for disgraceful lengths of times, and the residents were denied the basic dignity and respect they deserved.

In an effort to improve and protect universal health care in Ontario, we passed the Commitment to the Future of Medicare Act and banned pay-your-way-to-the-front-of-the-line health care. We have provided \$2.2 billion to hospitals since we took office. We have invested in over 3,000 full-time nursing positions. We've made historic investments in community-based care programs such as home care and community mental health. We've restored standards in our long-term-care homes, and we're hiring more staff and creating an environment where our seniors are treated with the dignity and respect they deserve. We're executing a plan to encourage doctors to work in teams to provide greater access to health services to Ontarians. We have unveiled a comprehensive wait time strategy.

We have not cowered in the face of these challenges. Rather, we have taken on this task with the courage, dignity and tenacity expected of a government by the people of Ontario. We're producing real results for Ontarians, Mr. Speaker, and I'm pleased to tell you that we will continue to do so over the rest of our mandate.

### VENDING MACHINES IN SCHOOLS

**Mr. Dave Levac (Brant):** When the Minister of Education announced last November that all junk food and unhealthy beverages would be removed from elementary school vending machines across the province, this Liberal government took a very important step toward making our schools healthier places for our children and their learning.

It is often said that imitation is the sincerest form of flattery. I'm pleased to inform the members of this House that other jurisdictions are following Ontario's strong example by eliminating junk food from their schools—not California, though. Take Connecticut, for example. Two weeks ago the state Legislature voted to ban the sale of junk food and soda pop products in all its public schools. I'm told that some state representatives opposed this move, claiming that the government had no right to encourage young generations to make wiser choices about eating habits. They were satisfied with the status quo: school vending machines full of candy and chips and sugary drinks by the handful at every recess and every lunch hour. They didn't see a need for the government to take a step to make their schools healthier places for students to learn and grow. Does that sound familiar?

We on this side of the House know that it is our job to give our kids the best possible choices and a fresh start in life. Unlike our Conservative predecessors, we're not content to sit idly by while our children make unwise choices about nutrition and active living—choices which will have a lifelong impact on their well-being. We know we can do better, and for the sake of our future generations, we've created change that's working for our children.

## VISITORS

**The Speaker (Hon. Alvin Curling):** I have the distinct pleasure of introducing two outstanding former members from the riding of Quinte: Dr. Richard Potter, of the 28th and 29th Parliaments, who is also the former Minister of Health, as someone indicated here earlier, and the former Minister of Tourism and many other ministries, Mr. Hugh O'Neil, of the 30th to 35th Parliaments. Please welcome them both here today.

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
THE LEGISLATIVE ASSEMBLY

**Mr. Bob Delaney (Mississauga West):** I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Mr. Delaney from the standing committee on the Legislative Assembly presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters.

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

1350

## INTRODUCTION OF BILLS

ENDING MANDATORY RETIREMENT  
STATUTE LAW AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT DES LOIS  
POUR ÉLIMINER LA RETRAITE  
OBLIGATOIRE

Mr. Bentley moved first reading of the following bill:

Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement /  
Projet de loi 211, Loi modifiant le Code des droits de la personne et d'autres lois pour éliminer la retraite obligatoire.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

Mr. Bentley?

**Hon. Christopher Bentley (Minister of Labour):** I'll defer till ministerial statements.

## MOTIONS

## PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Alvin Curling):** Do we have unanimous consent as requested by the minister? Agreed.

**Hon. Mr. Caplan:** I move that pursuant to standing order 96(g), notice be waived for ballot item 76.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## MANDATORY RETIREMENT

## RETRAITE OBLIGATOIRE

**Hon. Christopher Bentley (Minister of Labour):** Today the McGuinty government has introduced legislation that would end the practice of mandatory retirement. This legislation recognizes what we all should already know: Your skills, ability, drive and determination do not stop once you turn 65. It recognizes that those who are 65 and older should enjoy the same right to earn a living and contribute to society as those who are younger.

We have presented legislation that would end mandatory retirement while not undermining existing pension, benefit and early retirement rights. Ours is a fair, reasonable and rational approach that will not undermine those benefit, pension and early retirement rights that so many depend on.

People should have the right to choose their life's paths to as great an extent as possible. The right to choose should not be restricted only to a few, such as politicians and the self-employed.

Dans la mesure du possible, nous devrions tous avoir le droit de choisir le parcours de notre vie. Le droit de choisir ne devrait pas être restreint à une minorité de gens comme les travailleurs indépendants et les hommes et femmes politiques.

Someone who is 64 years and 364 days old does not become disposable just because a calendar page flips.

Sir John A. Macdonald was 76 when he was elected Prime Minister for the last time in 1891 from, I recall, Kingston. Long-serving New Democrat MP Stanley Knowles was last elected at age 71. Ed Broadbent, the former leader of the federal New Democratic Party, ran successfully in the last federal election at 67. When Winston Churchill became Prime Minister of Great Britain at the height of the country's wartime peril, he



was 65; Nelson Mandela, President of South Africa at 77; and it goes on.

Back in 1966, age became a prohibited ground of discrimination in employment, but not for individuals aged 65 or older. While that was considered appropriate in 1966, we don't consider it so today.

In June 2001, the Ontario Human Rights Commission released a paper entitled *Time for Action: Advancing Human Rights for Older Ontarians*. In it, the commission asserted that mandatory retirement policies undermine the dignity and sense of self-worth of older workers. The commission called for a change to the definition of "age" in the Human Rights Code to end mandatory retirement.

It was a timely paper. When the Human Rights Code was first enacted, the so-called baby boomers were still children or teenagers. The demographic situation then was significantly different than the one we have today.

Ontario, like many jurisdictions, currently has an aging workforce. There are 1.5 million seniors in Ontario today. By 2028, we expect that number to be about 3.2 million seniors—more than double. In 2002, 36% of the total working-age population in Canada, those between age 15 and 64, fell within near retirement age of 45 to 59. That share is expected to grow to 39% by 2006.

Mandatory retirement is an outdated concept in the context of a society where we live longer and healthier lives.

A report recently prepared for StatsCan indicated that, while many Canadians want to retire before they reach 60, many older Canadians choose to, or need to, continue to work.

A recent international survey by the HSBC international banking group revealed that people around the world overwhelmingly believe they should have the right to work until any age they choose.

Some people simply cannot afford to retire. About one third of working women feel financially unprepared for retirement, compared to 29% of working men. Also, people who support and care for other family members may need to continue working.

Our research has shown that while ending mandatory retirement gives people choice in their lives, it also has no negative consequences for younger workers. Other jurisdictions that have ended mandatory retirement have not seen a resulting stagnation in employment opportunities for young people. In fact, there's a trend over recent years to earlier retirement. The average retirement age has in fact decreased.

Every worker would have the choice whether to work, but not every worker would exercise that choice. Approximately 100,000 people reach 65 every year, but some have estimated as many as 4,000 would actually continue to work.

We recognize that ending mandatory retirement is a significant societal shift, both in attitude and practice. There are a lot of issues and concerns, a lot of positions to consider. And we have considered the issues in a fair, reasonable and prudent way.

I would like at this moment to recognize the hard work of my parliamentary assistant, Kevin Flynn from Oakville, who conducted the public consultations.

Our legislation would, if passed:

—amend the code to ensure that people 65 and older could not be forced to retire;

—provide a one-year transition period to allow workplaces to prepare for this change. The legislation would be effective one year after receiving royal assent;

—prohibit collective agreements from including mandatory retirement. Mandatory retirement provisions in existing agreements would no longer be enforceable once the legislation took effect;

—the "bona fide occupational requirement" provisions permitted under the code will continue. By that, we mean employment requirements or qualifications that are necessary for the performance of essential job duties. This would not undermine, as I indicated, the age at which individuals could collect, for example, from the Canada pension plan.

We have listened to the very important public consultations that have been conducted. We've worked carefully in writing this legislation. As a government, we believe the legislation placed before the House today provides comprehensive, fair and equitable ways of meeting the issues and challenges that have been identified.

I ask all members of the House to give this bill speedy consideration. Let us give those who turn 65 the right to choose whether they will work or not, the same right those not yet 65 take for granted. It is the right thing to do.

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## ABORIGINAL AFFAIRS

### AFFAIRES AUTOCHTONES

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** Since the fall of 2003, the McGuinty government has been developing the principles of a new relationship with aboriginal peoples in Ontario, a relationship built on co-operation and mutual respect.

I'm very pleased to stand before the House and announce that this morning the McGuinty government presented Ontario's new approach to aboriginal affairs to representatives of Ontario's aboriginal community. In 2004, we sought input from aboriginal leaders and service providers in Ontario about their hopes and their priorities. The input from these discussions form the basis of the new approach.

Le gouvernement McGuinty fait participer les collectivités et organisations autochtones aux décisions qui ont une incidence sur leur vie.

I would like to thank aboriginal leaders, heads of aboriginal organizations and all aboriginal people who participated in these discussions and provided valuable input. I would like to thank all my colleagues for their support of Ontario's new approach to aboriginal affairs.

At the heart of our new approach is the recognition that together we must create a better future for aboriginal children and youth. By investing in the younger generation, we can nurture hope; we can create a better quality of life for all aboriginal people in Ontario.

We begin by investing in relationships with aboriginal people. On April 7, members of this cabinet and parliamentary assistants met with First Nations leaders. We will do so again in the winter and twice a year after that.

We will be setting regular forums like these with all our aboriginal partners. We will work to address Metis issues in an appropriate forum, and I'm also proud to announce a new northern table to address the unique challenges and opportunities of aboriginal communities in northern Ontario. This Friday, June 10, Minister Ramsay and I will be sitting down with our First Nations partners and our federal counterparts to begin meaningful discussions about improving the lives of aboriginal people in Ontario.

The McGuinty government is also moving forward in tandem with our aboriginal partners on initiatives in the areas of education, justice and health. We are working with aboriginal people in Ontario to develop a new aboriginal justice strategy, an education policy that will make a real difference to aboriginal students and communities, and we're working with aboriginal leadership to improve the health of aboriginal people by reducing incidence of smoking and increasing the number of healthy activities available to aboriginal communities.

Our government is committed to developing and implementing guidelines on consultation with aboriginal people in Ontario for the first time to foster better relationships, to meet our legal and constitutional obligations and to provide certainty to industry throughout Ontario.

We crafted these initiatives because they reflect the priorities of aboriginal communities and they are our priorities too. This government wishes to strengthen aboriginal communities, and we want a better, brighter future for aboriginal children and youth.

Aboriginal youth are the fastest growing segment of the Canadian population. More than 50% of aboriginal people in Ontario are under the age of 27. We cannot ignore those facts. We cannot ignore the plight of aboriginal communities, and we must prepare our children for the future. To do so, Ontario is supporting a new program to benefit aboriginal children and youth aged seven to 15. Discussions have already begun between the Ministry of Children and Youth Services and the Ontario Federation of Indian Friendship Centres to support the creation of this new program. It has received the support of a number of ministries, without which we could not do this.

In short, this government is taking action to improve the lives of aboriginal children and youth. We are working to create stronger aboriginal communities by investing in the aboriginal community capital grants program. We are investing in relationships because this government believes that by working together we can improve the quality of life for aboriginal people today.

We are seeking achievable results. We are seeking to work with First Nations, aboriginal communities and organizations in Ontario to identify where real progress can be made to demonstrate measurable improvements to aboriginal people.

It is a new era in Ontario-aboriginal relationships. We are working together to find aboriginal solutions to aboriginal issues.

## ART GALLERY OF ONTARIO

### GALERIE D'ART DE L'ONTARIO

**Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs):** Earlier today, the Art Gallery of Ontario officially launched Transformation AGO, a campaign to fund its extraordinary cultural expansion project.

C'est avec plaisir que j'ai assisté à ce lancement, où il a été annoncé que 180 \$ millions avaient déjà été obtenus auprès des secteurs public et privé. Notre gouvernement a joué un rôle important dans cette campagne en faisant une contribution de 24 \$ millions. Parce que nous avons débloqué ces fonds au début de la campagne, notre contribution a inspiré d'autres donateurs à suivre notre exemple.

The city of Toronto is experiencing a cultural renaissance with several major cultural expansion projects underway. Transformation AGO is a tremendous win for the province of Ontario and will contribute to that renaissance celebration upon its completion in spring 2008.

We believe that Transformation AGO will reinforce the gallery as a pre-eminent cultural institution, and draw visitors from around the world. Transformation AGO builds on the historic gift of 2000 works of art from Ken Thomson's private art collection and an innovative design by internationally celebrated architect Frank Gehry. Through Transformation AGO, the gallery will be enlarged by 97,000 square feet, and viewing space for art will increase by 47%.

As an international cultural destination, the transformed AGO will forge a new model for art galleries through expanded collections, interactive displays and dynamic behind-the-scenes access to education, conservation and research.

Ontarians are proud and honoured by these incredible developments which increase our appreciation of the works of art and introduce new admirers to them. Transformation AGO will enrich and improve our quality of life.

I encourage you to join me in extending our government's congratulations on a successful campaign thus far and best wishes for its conclusion. I hope that the people who are listening to us today will contribute to the campaign; it's money well invested.

**The Speaker (Hon. Alvin Curling):** Responses?

## MANDATORY RETIREMENT

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm very pleased to respond to the announcement made today



by the Minister of Labour regarding mandatory retirement and the end thereof. I guess the question I would have for the minister is, what has taken you so long? Our government two years ago introduced Bill 68, an act to do exactly that. It was introduced by the Minister of Citizenship, the Honourable C. DeFaria. Two years later, we have the introduction of a bill.

If this bill had actually been approved, it would have come into law in January of this year and we already would be in a situation where we would have eliminated mandatory retirement. Having said that, we do support this initiative, obviously. We believe it's extremely important that everybody in this province have the opportunity to make the choice about when they would retire from work. It's particularly important for many women, immigrants and others who have maybe come into the workforce later in life and simply don't have the financial resources or pensions that would enable them to retire earlier. We also know that many people today live much healthier, longer lives. This provides them with an opportunity. We appreciate that this bill has been introduced today.

#### ART GALLERY OF ONTARIO

**Mrs. Julia Munro (York North):** Certainly, I would also want to echo the congratulations provided by the minister on today's announcement. It is also an opportunity to look back at some extremely important investments that were made by the previous government. I'm reminded that my seatmate, the member for Erie-Lincoln, was the former minister who began this process. I'm very proud to have been the parliamentary assistant for culture when the culture minister, Dave Tsubouchi, announced \$24 million in SuperBuild funding for AGO's rebuilding. So it matches, then, with today's announcement.

1410

It's also interesting to note the minister has made comment about the kind of investment that this initial investment produced. In 2002, as the government we were able to report to this House that we had invested \$233 million jointly between the federal government and the provincial government through the Canada-Ontario infrastructure program to help Toronto's seven most important cultural institutions, including obviously the AGO.

Our caucus understands the importance of Toronto's cultural institutions, recognizes how important they are to our economy and also sees the opportunity to become world leaders in that renaissance. I also think that this announcement demonstrates the wisdom of our earlier investment. But I would just caution the minister not to rest at this point, because I'm not sure that "Build it and they will come" is operative in this context. I don't believe so. I believe that we have an opportunity, then, to provide the kind of marketing and the kind of tourist opportunities that these investments will provide for generations to come.

#### ABORIGINAL AFFAIRS

**Mr. Norman W. Sterling (Lanark-Carleton):** In the absence of Mr. Tascona, I would like to respond to the minister for aboriginal affairs and say to him that we welcome any new process which will show progress toward solving the many problems that our aboriginal communities face. I do want to say, however, that I disagree with some of his premises that nothing has been done for so long.

I can remember sitting at the table with William Davis at the constitutional conferences back in 1982 and 1983 when Mr. Davis led the fight for the aboriginal community to be included in our Constitution. That, of course, has sprung their continual fight for recognition and for inclusion in our government.

We welcome any new process that will enhance the solving of problems in our aboriginal communities. It is a goal which all parties have striven to meet when in government, and we only wish the Attorney General well in his endeavours as well.

#### MANDATORY RETIREMENT

**Mr. Peter Kormos (Niagara Centre):** Hard-working women and men across this province in Ontario's mines, its pipe mills, its steel mills, its forests and its auto factories have fought hard over the course of generations for not only a fairer share of the wealth that they create but for good pensions and for the right to retire at an earlier age than their parents so that they didn't drop to death in the workplace but rather were able to spend their senior years helping raise grandkids and doing the things that their 40-hour, 50-hour and 60-hour workweeks prevented them from doing.

I come from a family that witnessed its grandparents die at work and watched its parents in that very fight in the workplace for the right to retire at an early enough age that there were some retirement years with dignity and with a decent quality of life.

The solution to the crisis in grossly underpaid minimum-wage workers in this province, the solution to the crisis in the growing number of workers who don't have access to a pension, the solution in the crisis of underfunding of pension plans isn't to tell workers, "Well, continue to work until you are 70 or 80 years old." No, the solution is to address those matters, and New Democrats are going to stand firmly with working women and men and their trade unions in insisting on workers receiving a fairer share of the wealth that they create; in insisting that workers across this province, all of them, have access to defined benefit pension plans; in insisting that workers across this province have access to retirements at an early enough age that they can enjoy those retirements and look forward to years living and enjoying life and quality of life with their grandkids, with their great-grandkids, doing volunteer work in their communities, travelling, doing the recreational and social things that, as I've indicated already, are denied so many

working people. This government believes in working longer and working for less. New Democrats are going to stand with workers to insist that technology and the enlightened environment of 2005 operate to their benefit, not to their detriment.

**Ms. Andrea Horwath (Hamilton East):** How galling it is that the Minister of Labour chooses Seniors' Month to introduce legislation that will keep people working into their 70s and 80s: not legislation to ensure the economic security of Ontarians as they enter their retirement years, instead of abject poverty—

*Interjections.*

**The Speaker:** Order. Could I have some co-operation, please, while the member gives her response?

**Mr. Rosario Marchese (Trinity-Spadina):** Stop the clock.

**The Speaker:** I'll be sure to make up for the time you've lost.

**Ms. Horwath:** —not legislation to protect erosion of pensions by inflation, so people can depend on a decent quality of life in their golden years; not changes to the Pension Benefits Act and the pension benefits guarantee fund to protect the pensions of Ontario's retirees and people approaching retirement; not real pension reform, knowing full well that 60% of people do not have a pension to retire on, knowing that 80% of workers in the province of Ontario and the private sector do not have a pension they can rely on when they retire.

Shame on this minister for not dealing with the real issues in this province around pension reform. I say to anybody watching this announcement today on mandatory retirement: Be bold in what you stand for, but careful of what you fall for. That's from Ruth Boorstin, an editor.

## ABORIGINAL AFFAIRS

**Mr. Gilles Bisson (Timmins-James Bay):** In French, we have a saying, and that is, "Plus ça va, moins ça change." Translated into English: "The more it goes, the less it changes."

Today, we had the minister responsible for native affairs standing up in the House saying, "Last year, we made a commitment to meet with Ontario aboriginal leaders once the government's new policy on aboriginal affairs was complete. This morning, we delivered."

You don't have to be a brain scientist to figure out what needs to be done in aboriginal communities around this province. For example, this government could quite easily pass Bill 97, or at least allow it to come for a vote in this House, so communities can share in revenues of development in their own backyard when it comes to mining and forestry policy. Those particular projects would be able to assist those communities.

I ask the minister and the Minister of Public Infrastructure Renewal, how many COMRIF applications did this government approve for First Nations in the latest round? Not one. We have communities that have failing water and sewer systems that don't work, and they sit

there and say, "That's federal responsibility." If you want to have a new relationship, it would be a great place to start.

You can do something really simple: The minister responsible for birth certificates could allow what Mr. Hampton and I have been asking for, which is that First Nation chiefs be able to sign birth certificate applications so they can register children so they can qualify for benefits. Instead, they have done nothing: more consultation, more big hugs, more "I love you," but no action.

## VISITORS

**Mr. Tony Ruprecht (Davenport):** I have a point of order: We have some very important special guests with us: the president of the Canada-China Overseas Exchange Association, Mr. Tony Luk, and with him, the winner of the top 10 environmentally friendly building design award from China, in Shanghai, Mr. Meng Xian Ling.

**The Speaker (Hon. Alvin Curling):** The long-standing member from Davenport knows that's not a point of order.

## ORAL QUESTIONS

### LOCAL HEALTH INTEGRATION NETWORKS

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Health. For many months, we've been asking you questions about your new regional health care bureaucracies, which you call local health integration networks, and so far, very few answers have been offered.

As you said in September 2004, the so-called LHINs are key to your health transformation agenda. Will you now agree with me that it is unclear how your Ministry of Health will manage the complex fiscal implementation and stakeholder issues associated with bringing LHINs on-line, and that there's insufficient detail regarding your restructuring plans?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** No, I would not agree with the assertion by the honourable member.

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**Mr. Tory:** That, of course, is the most direct answer ever received in this House.

I would point out to the minister that the words I read were not words that came from the Leader of the Opposition or from anybody in the PC Party. They came directly from page 1 of this cabinet submission, leaked by your ministry, highlighting the fatal flaws of your own scheme to implement your new regional health bureaucracies.

Fresh from revelations that you're spending \$27 million of the taxpayers' money to fire 150 local health



officials, now we see, according to these documents, that you're spending an additional \$52 million to hire at least 560 new bureaucrats, who will do absolutely nothing to improve front-line health care. Minister, is this what you consider value for money for the Ontarians who are paying double the health tax this year: tens of millions of dollars spent to fire and then hire hundreds of bureaucrats?

**Hon. Mr. Smitherman:** I would think there'd be some value for money provided if the Tory researchers could get the odd number right. Evidence of the inadequacies of the honourable member and his staff come, just as an example, in his reference to the issue of severance costs related to district health council employees.

Yesterday in this House, your seatmate, herself a former health minister, used the same figure that you've repeated today, even though there has been plenty of evidence offered that the figure was inflated by more than \$12 million.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** It's your cabinet document.

**Hon. Mr. Smitherman:** Well, do you want to deal with reality or some numbers that were put down on a piece of paper?

I answered the question very, very clearly yesterday. The costs associated with the wind-down of district health councils amounted to \$15.9 million, and associated with that is a reduction in 184 employees.

**Mr. Tory:** Not that I answer this member's questions, but if we have a choice between believing the public service of Ontario in a cabinet submission or believing the information you come in here and make up, we'll take their numbers 10 times out of 10.

Let's read another quote from Management Board's condemnation of your proposal to hire 560 new health bureaucrats with their hard-earned money: "There is insufficient detail regarding: restructuring plans for regional offices; whether a full impact analysis on ministry, provider and community stakeholders has been done; how the ministry will coordinate a network of 14 LHINs into a provincial system, etc."

Minister, Management Board is saying that you have not done your homework on this. Will you now admit that your scheme to impose regional health bureaucracies is fatally flawed and does not provide value for money for Ontarians, who are paying twice the health tax this year as they did last year?

**Hon. Mr. Smitherman:** No, I won't, because I'm not one of those who's going to come face to face with a challenge and back down from it.

The reality is, in the Ontario health care system, we use the—

*Interjection.*

**Hon. Mr. Smitherman:** There is the heckling—decorum in the House from the member who has already said he's out of here. Well, maybe he should just go now.

The point is, in the Ontario health care system, we haven't been performing like a system at all. So our government is doing the thing that other health ministers

from previous governments, from your party, have said that they think is the right thing to do, and that is, for the first time in the history of Ontario, to bring together planning with the coordination around local service delivery and important decisions around what local priorities are.

As local health integration networks come to life, what you see for the first time in the province of Ontario is a coordinated strategy around the delivery of health care living up to the word "system," and for the very first time, taking powers from the Minister of Health and pushing them down to the community level, where decisions around important local priorities are going to be made.

## HEALTH CARE

**Mr. John Tory (Leader of the Opposition):** We'll believe that when we see it from the originator of command and control at the centre. What people will see when they see this LHIN, as the minister just talked about, is something, but something we can't afford.

Page 2 of your leaked cabinet document shows that you have secretly ordered the consolidation of 42 community care access centres, the organizations that provide home care services. This very document, the cabinet document, shows that another \$50 million in severance costs, \$14 million in legal costs and another \$25 million in wage costs will be needed to close and consolidate these centres. This is another \$90 million going into your hiring and firing and legal costs, not going into patient care. None of it is being used to hire nurses or doctors or to fund hospitals. Is this what you had in mind when it came to putting every single penny of your health tax into health care?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The honourable member offers further evidence of his lack of preparation for today. He claims there is some hidden agenda with respect to the role of—oh, the Tory staffers over on the side are waving their paper around and acting inappropriately, just like their leader over here, John Baird.

The reality is, there is no secret about this. The Ontario Association of Community Care Access Centres has, for months and months now, been playing an active role, working with local CCACs on a plan to consolidate in line with local health integration network boundaries. The member's suggestion that this was some secret process is further evidence yet of his lack of preparation for today and the sheer price that is to be paid for a political party that doesn't have a health critic.

**Mr. Tory:** Well, the minister is certainly stretching when he talks about whether we have a health critic or not. I notice one thing he didn't do was to repudiate a single one of the numbers that I mentioned.

Let's add it up. It's based on a Liberal cabinet document—not something that came out of our opposition research offices anyway. What we know is that taxpayers are being forced to pay \$90 million to consolidate home care services, \$27 million to fire and potentially rehire

local health officials and \$52 million to hire over 500 new bureaucrats, not to mention the \$91 million you spent to fire nurses, paying them not to come to work, or whatever you call it. These are all from sources within your own ministry who are blowing the whistle on you. It adds up to a quarter of a billion dollars that Ontario taxpayers will not have available in their health care system because you're spending it on lawyers and bureaucrats. Do you think this is what they wanted you to do with their money?

**Hon. Mr. Smitherman:** The honourable member, in his very question, said that I haven't verified any of the numbers. That's because I'm not going to substantiate these numbers that have come from a cabinet document that the honourable member says has been signed and sent by me. I'm not standing in support of a document that I have not been provided with. I cannot suggest that it's evidence of anything except the honourable member's desire to operate off a document. If you want to provide it to me, I'm happy to work toward these numbers.

Here's what I can tell you with respect to community care access centre consolidation. We do expect, of course, that as we seek to consolidate community care access centres, there could be some disruption of employment for people. The laws of the province of Ontario dictate that we provide severance to those individuals. The numbers that the honourable member has spoken about are dramatically inflated.

**Mr. Tory:** I guess, if they're dramatically inflated, you'd come to this House and share exactly on all of these accounts: the hiring and firing in connection with the district health councils, the hiring and the firing in connection with the LHINs, the legal costs, the Xerox costs and the lease costs. Maybe you'll come in and give us exactly what those numbers are. If you're so sure my numbers are wrong, then come in here, bring those numbers here tomorrow and provide those to the taxpayers of Ontario.

While you're at it, maybe I could ask that you bring to us the accountability plan, which you were told to have and that you don't have, a way to measure performance, which you were told to have and you don't have, and a way to stay on schedule, which we certainly know you don't have. This whole thing is a shambles. Why don't you just start over again and admit that you're wasting tens of millions of dollars of taxpayers' money and not getting it to patients?

*Interjections.*

**The Speaker (Mr. Alvin Curling):** Order. Just one at a time. As soon as he completes, then you can do it.  
Minister of Health.

**Hon. Mr. Smitherman:** The shambles comes from an honourable member who can't take fact for information. He wants information with respect to district health councils. Yesterday in this House, I provided it, and in the scrum subsequently, as is reported in the paper today. But I'm very, very happy—

*Interjections.*

**The Speaker:** The member from St. Catharines and the member from Nepean—Carleton seem to be engaging in talking across. I would like some co-operation—and also the Minister of Community and Social Services.

Minister.

**Hon. Mr. Smitherman:** Speaker, I'll ask a page to send this over to the honourable member. It confirms the information that I provided yesterday in the Legislature and in the scrum, as it relates to district health council.

The honourable member today again repeated information that he knows to be inaccurate. He predicted a number of \$24 million related to the cost of—

**Mr. John R. Baird (Nepean—Carleton):** On a point of order, Mr. Speaker: I would ask you to call the member to order. He said that the Leader of the Opposition was deliberately misleading the House.

*Interjections.*

**The Speaker:** Order. I'm just waiting for the Minister of Finance and the member for St. Catharines to come to a bit of order.

Minister of Health, you made some unparliamentary comments. Would you withdraw them, please.

**Hon. Mr. Smitherman:** I will withdraw those, Mr. Speaker.

I provided information in this Legislature yesterday and in the scrum subsequently that was reported in the media today, and today you chose again to come back with a number that had by then been proven to be inaccurate. You chose to do that.

Here are two numbers to try and help you along. DHC windup costs: \$15.9 million, 184 jobs. I'll send you a note with all of that detail.

1430

## PENSION PLANS

**Mr. Howard Hampton (Kenora—Rainy River):** My question is for the Acting Premier. Across this province, when I go to workplaces what I encounter are workers who are trying to figure out how they can retire earlier with dignity and a decent pension. Today the McGuinty government introduced legislation that goes in the opposite direction, that says older workers can work longer and harder for less. Can you tell us why the McGuinty government has done nothing to ensure that workers will have a decent pension, that in fact they'll be able to do what they want to do, which is retire earlier in dignity, not work longer and harder for less?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** The Minister of Labour.

**Hon. Christopher Bentley (Minister of Labour):** Today I was very pleased to be able to introduce legislation that will end the practice of mandatory retirement. This legislation will ensure that people who are 65 and over actually have the choice whether they continue to work or not. There are those opposed to choice, but for the individual workers out there who have not had the protection of the Human Rights Code, we think it's high time they had the right to make the decision for them-



selves and not have somebody else like the leader of the third party make it for them. It's the right thing to do. It will support respect, dignity and a sense of self-worth in all Ontarians. It's time we moved into the 21st century, not be stuck in the 19th.

**Mr. Hampton:** The McGuinty government talks about choice. The only real choice workers will have is when they actually have a pension and can look forward to some economic security when they want to retire.

I just want you to know a few things about Home Depot, where you made your announcement. Home Depot has no pension plan, and in the United States it's facing a class-action suit from older workers for denying pension benefits and for denying overtime pay. Here's how one older worker at Home Depot in the United States describes their job: "Over the weekend, myself and four other seniors were told by management that we have 15 days to bring up our numbers or else, on that 15th day, we will be terminated."

Is this the McGuinty government's idea of choice? Older workers with no pension plan working for low wages at Home Depot and being told, "Work harder or we'll terminate you"?

**Hon. Mr. Bentley:** Unfortunately the leader of the third party seems to have missed the point, which is about the choice of workers to have the right to decide for themselves whether they work or not. We are in Ontario. I was very pleased to be at Home Depot today to assist in making this announcement about the intended introduction of the legislation. Home Depot has respected the rights and abilities of workers who are older than 65. They've recognized that they can make a contribution. It was a feel-good announcement today.

The leader of the third party would want himself to make the choice for all older Ontarians. His answer is not going to assist the economic security of anyone 65 and over. He'll just deprive them of the right to work, and that does nothing for anybody's self-worth, dignity or economic circumstances.

**Mr. Hampton:** The issue for workers is that they want to be able to retire earlier. They want to be able to retire in dignity with a decent pension. If the McGuinty government was really interested in older workers, you would have brought forward legislation to ensure that more older workers can have a pension, you would have brought forward legislation to index that pension so it won't be eroded in terms of inflation, you would have brought forward legislation to index that pension so it won't be eroded in terms of inflation, you would have brought forward legislation ensuring pension portability, so that workers, as they move from one employer to another, can take that pension with them.

Your agenda has nothing to do with ensuring dignity and financial security for older workers. You're not talking here about freedom 55; the McGuinty government is talking about working longer and harder until you're 75. Can you tell me, how could you have missed the real agenda of older workers so badly?

**Hon. Mr. Bentley:** It's interesting: We get all these ideas about progressive moves from the NDP when they're not in power. Where were they when they were in power? Nowhere, absolutely nowhere. Remind me: Wasn't that the party that provided a pension holiday which places at risk the pensions of the very workers they talk about? Talk about undermining the economic security of the future of workers.

Today's announcement is about a human right: the right to decide for yourself whether you'll work beyond when you're 65. We will continue to work very hard to advance the rights of all Ontarians for better rights, better conditions, better wages, better pensions. But today's announcement wasn't about that; it was about the human right to decide for yourself whether or not you're going to work when you're 65. Why would the NDP deny that?

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Hampton:** To the Minister of Labour—the Minister of Labour wants to lecture people on human rights and choice. Tell me something: What choice is there when 60% of workers in this province have no workplace pension, when 83% of the workers who work in the private sector have absolutely no inflation protection? It seems to me that what you're offering seniors in terms of choice is exactly what Home Depot wants in terms of those 15 senior workers: "Come and work with no pension plan. Come and work for close to minimum wage. And if you don't work hard enough, we terminate you."

Where is the choice for all those workers in Ontario who don't have a pension? What is the McGuinty government doing for them?

**Hon. Mr. Bentley:** Once again, today's announcement, today's legislation is good news for all Ontarians. It's not the answer to every economic issue in the province. It is a historic advance, if passed, to support human rights and dignity for all Ontarians.

The fact is that Ontarians are retiring earlier, on average. The fact is that 100,000 Ontarians turn 65 every year, and those Ontarians should have the right to decide for themselves whether they wish to continue working or whether they wish to have a retirement year. That's up to them; it shouldn't be up to statute. You should be able to make your decision on whether to work on the basis of your willingness to make a contribution, not on the basis of your calendar age. That's our position.

**Mr. Hampton:** There is a glaring exemption in the government's legislation. Who do they exempt? They exempt themselves. Judges in Ontario, provincial court judges, will for some reason be exempted. So if the minister is going to lecture the rest of us, maybe he can tell us why the McGuinty government exempted some of your own employees.

But again, I want to say to the McGuinty government, the majority of workers across Ontario are trying to figure out, "How can I retire earlier? How can I retire when I have good health? How can I retire in dignity and with the economic security of a pension?" Today, the

McGuinity government legislation provides absolutely no answers.

So tell me, why would you exempt yourself in terms of provincial court judges, and why are you missing in action when it comes to the real issue for Ontario workers? They want and need a decent pension.

**Hon. Mr. Bentley:** First of all, the comments about judges are interesting. They've been recognized as being different because they're appointed through a different process, and they have to have independence. Independence: that's the essence of the judicial position. So historically, they have been allowed to continue judging until they are 75, and that's going to continue, along with a few other judicial types of exceptions in the act. So that isn't really, I suspect, what the member is concerned about.

Our position is that all Ontarians get the choice that they've never before had in the history of this province. Why is it that only NDP politicians should have the choice? What about the working people in the province of Ontario? Why does Ed Broadbent get the right to work after 65 but not the working people in Ottawa?

1440

**Mr. Hampton:** I'm sure older workers in Ontario will be happy to know that the McGuinity government has a future for them—at Home Depot: no pension plan, minimum wage, and if you don't produce exactly what they want on time, you're terminated.

But I want to ask you, where, for example, is legislation to deal with inadequacies of the pension benefit guarantee fund? Where is the legislation that will ensure that when workers retire and for some reason there is a shortfall in the pension fund, there is a guarantee to back it up? Sixty per cent of Ontarians are without pensions; 83% of private sector workers have pensions with no inflation protection; workers are unable to take their pension with them when they go from job to job.

I say again: You say you want to offer real choice to Ontario workers; where is the legislation that would deal with these issues, so workers would have a choice to retire earlier in dignity with the financial security of a good pension?

**Hon. Mr. Bentley:** I'm once again happy the leader of the third party is reminding us about the pension benefit guarantee fund, once again another mess the NDP left us to clean up and once again another act by the NDP to undermine, potentially, rights of working people.

You know, this was a great announcement today. CARP, the Canadian Association of Retired Persons, Fifty-Plus, is in support of this. We have so many people today in support of this. You shouldn't be limited by your age in whether you actually decide to work after 65. You should have the right to make the choice for yourself. Why is the NDP afraid of people choosing for themselves whether they decide to work? Why would the NDP say to people, whether they're a clerk in a store, whether they're a university professor, whether they're working for any number of employers in the province of Ontario—why

does the NDP not want a perfectly well-contributing member who is 64 to have to retire when they're 65?

## LOCAL HEALTH INTEGRATION NETWORKS

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** My question is for the Minister of Health. The leaked cabinet document clearly illustrates that Management Board believes your transformation scheme is fatally flawed. You are spending millions of dollars in cash and human resources without any plan or even a stakeholder impact analysis.

Yesterday, we spoke about the fact that there was a risk to patient safety by closing down the DHCs without having the LHINs up and running. The cabinet document today is very critical of your implementation plan for LHINs. You haven't met the timeline, of course. It says: "It's unclear how the ministry will manage complex fiscal implementation and stakeholder risk associated with operationalizing LHINs." And then it says, "MBS recommends that the ministry be directed to ensure" there's a plan for stability.

Minister, can you today guarantee that your flawed plan will not put patient safety or stability at risk?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The honourable member, herself a former health minister, continues to operate on this wild assumption that district health councils were playing a day-to-day role in the provision of health care services in the province of Ontario. They were not. This is well known to every member of this Legislature and to the people who serve on district health councils. It's not to suggest that some value didn't come from that work, but over a period of time, district health councils found themselves by and large operating in anonymity, without any impact whatsoever to take the good planning work that they did and give it the opportunity to influence the way we do service delivery in the province of Ontario.

Our government is moving forward with something that every other jurisdiction in Canada has done: the provision of health care in a fashion that coordinates the responsibility for planning with the decisions around service delivery. We are going to add a strong local element to make sure that local community voices are there to help prioritize the most essential services. At the end of the day, that is all about—

**The Speaker (Hon. Alvin Curling):** Thank you.

**Mrs. Witmer:** If we take a look at the leaked cabinet document, we see that there is certainly no plan of action. We also see that the minister has failed to meet the timelines outlined, and there is just no impact analysis whatsoever. We also see that there's no transparency. Part of the document states that the end state role of LIHNs will be the "Exercise of powers and authority conferred by legislation to drive integration and coordination—including powers to move or consolidate programs and customize services."



Minister, is it your plan, as you already attempted to do through Bill 8, to eliminate hospital boards?

**Hon. Mr. Smitherman:** No.

### POLITICAL CONTRIBUTIONS

**Ms. Marilyn Churley (Toronto–Danforth):** I have a question for the Minister of Energy. Are you familiar with section 29 of the Election Finances Act, which strictly forbids constituency associations from accepting contributions from any person normally residing outside Ontario?

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I am familiar with that section of the act.

**Ms. Churley:** Minister, your riding association's annual report reveals that you accepted a donation from one Neal Belitsky. He is a resident of Michigan, USA, not Ontario. He is also the executive vice-president and general manager of the Detroit and Canada Tunnel Corp. That is a division of a powerful private consortium that owns a large part of the 407 and is lobbying Ontario for more P3 partnerships. His contract with the city of Windsor expires in two years. Could you tell us about your relationship with Mr. Belitsky and why you accepted what appears to be an illegal campaign contribution from him?

**Hon. Mr. Duncan:** I don't know who the individual is. Obviously, I believe our report was filed and audited by the riding association's independent auditor. At this point, that is all I can say. The act has been followed, to my knowledge. I look forward to hearing more about that. I'm not familiar with the individual in question.

### HERITAGE CONSERVATION

#### CONSERVATION DU PATRIMOINE ONTARIEN

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** Ma question s'adresse à la ministre de la Culture.

A few weeks ago, the Ontario Heritage Amendment Act received royal assent. As that happened, we witnessed an incredible expansion of the tools available to protect our cultural and historical heritage here in Ontario. The amendments to the Ontario Heritage Act have had the following benefits: The heritage act now allows for increased protection of heritage conservation areas, maritime heritage sites and archaeological sites; the province and municipalities have new powers to not only delay but completely halt the destruction of buildings with heritage a designation; the province has increased capacity to designate sites of cultural and historic importance to Ontarians.

Madame la ministre, quels autres projets d'appui au patrimoine avez-vous annoncés récemment?

**L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones):** First of

all, let me say thank you and congratulate the member for Stormont–Dundas–Charlottenburgh for all the work he did in heritage and will continue to do this summer.

C'est avec beaucoup de plaisir que je me suis retrouvée jeudi dernier sur le site d'un aussi beau projet que Evergreen au site Brick Works, et je continue à me réjouir face à cette initiative, qui permettra aux amoureux de la nature d'en savourer toutes les beautés préservées au cœur de la ville de Toronto.

Le gouvernement McGuinty reconnaît la valeur de cette propriété officiellement désignée comme site patrimonial. C'est pourquoi j'étais fière d'annoncer que notre gouvernement a investi 10 \$ millions pour sa préservation et son développement dans le cadre du projet Brick Works, mené par l'organisme Evergreen.

Des projets tels que celui-ci protègent et soutiennent le patrimoine irremplaçable de notre population et de notre province.

1450

**Mr. Brownell:** Merci. I'm impressed with the quality and the range of different partners that have gathered around the Evergreen project. At the same time, this does not surprise me and it should not surprise this House, given the multifaceted aspect of Evergreen. It seems there is something there for everyone. By investing in Evergreen Commons at the Brick Works, the Ontario government will continue to build strong communities and nurture a healthy environment while celebrating Ontario's rich industrial roots.

Minister, can you elaborate further on how the Toronto Brick Works site is important to Ontario's heritage?

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Could I just have less conversation on the floor while we have question period.

Minister, you may respond.

**Hon. Mrs. Meilleur:** The Brick Works provides a foundation to celebrate Ontario's rich industrial past and helps us to experience and enjoy nature in the city. The Brick Works project will give our young people a chance to learn about our past and will expand what the city has to offer in the future. The Don Valley Brick Works produced the bricks that created some of our most memorable buildings, such as the old city hall and Queen's Park.

I would like to commend the city of Toronto for designating this site, as it is a great addition to attractions in the city. I extend my congratulations and thanks to everyone who decided to get involved and worked so hard to make this project a reality. Our government is pleased to partner with them on this great adventure that allows us to celebrate the past, present and future together. Personally, I look forward to my next visit to Evergreen, when I will be able to enjoy a nice organic coffee on a sunny terrace after a long, relaxing walk in the park. I hope you will come.

## LOCAL HEALTH INTEGRATION NETWORKS

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** My question is for the Minister of Health. Management Board took one look at your regional health bureaucracy proposal and condemned it as a failure of public policy. Even Management Board says you have no plan for health care, and that is, quite frankly, frightening.

We don't know about timelines for LHINs. We've heard nothing about a stabilization plan for hospitals that will be taken over by LHINs—no transition plan for the implementation.

Minister, do you have clearly defined roles for LHINs with an accountability framework and performance measurement standards that you can report, and if so, can the people of Ontario know them now, please?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** It's always very interesting to hear an honourable member who is one of the most active lobbyists for Ministry of Health initiatives, including things like family health teams, which have been a signature initiative of our government in representing a pretty important part of our plan. The honourable member would now stand in his place and say that we don't have one.

Am I to assume, therefore, that all of the letters of support that he offers, the invitation he had for me to attend Deep River, I think it is, this Friday—are all those things reflective of a view from his riding that the Ministry of Health doesn't have a plan? I don't think so.

To the nature of the specific question that the honourable member asked, I can confirm that we have done a tremendous body of work as it relates to local health integration networks. As the Legislative Assembly committee is currently completing its review of the candidates for appointment, we're certainly going to be in a position very, very soon to give the honourable member more of the information that he seeks.

**Mr. Yakabuski:** I was pleased to hear the minister speak so glowingly about the work I'm doing for the people in my riding, and I will continue to do so.

Those were basic questions that you failed to answer not only in the House today but when you went to the Management Board of Cabinet and asked for hundreds of millions of dollars for your misguided adventure.

According to the document leaked to us by a senior official in your own ministry, you were sent packing from Management Board, and rightly so. You were sent back to the drawing board because you and your ministry failed to answer even one of those basic questions.

Minister, who are we to believe: you, who cannot even answer these basic questions, or Minister Phillips, who rightly sent you back to the drawing board with this failed scheme? Who are we going to believe, Minister?

**Hon. Mr. Smitherman:** Firstly, on the theme of transparency that the honourable member has been identifying, he should send a copy of the said document forward. As everyone who has served will know, there are

documents from time to time that make their way around that don't have signatures on them. I think we need to take a look at that.

But to the heart of the matter, obviously the government is of one point of view on this: It's time that we build a system in Ontario, it's time that we bring together planning and coordination around service delivery and give local people, including those people from the Ottawa Valley, the opportunity to make important health care decisions around where priority investments should be made.

I would think that the honourable member, advocating as he does for the local people in his community, would stand in his place and support the idea that it's time. It's time, after all, to take power from the Minister of Health in the Hepburn Block and push that down to the local level, and to ask the local people to help make those informed decisions about what local priorities should be supported.

## DISABILITY BENEFITS

**Mr. Michael Prue (Beaches-East York):** My question is for the Minister of Community and Social Services. In November 1997, you stood on this side of the House and passionately spoke against the misguided policy of Mike Harris to deny older Ontarians, aged 60 to 64, from receiving ODSP benefits. During that debate, you spoke of individual hardships, you spoke about the futility of his retraining plans and the meagre \$520 a month that someone gets on Ontario Works. You called it "a disgrace." You said it was unfair. You said you and your party were totally opposed.

For nearly two years, you have had an opportunity to undo this travesty, but you have chosen instead to do nothing. You have chosen to continue implementing Mike Harris's legacy. My question to you is simple. Why have you abandoned the very people you used to champion?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I hope the member opposite had an opportunity to review a report tabled today called *Who's Hungry*. It's work done by the Daily Bread Food Bank. What's important to the members on this side of House is that we will have fewer people who have to use food banks. What we are doing since we took office is more than has been done in the last 15 years of this government.

I want to remind the member opposite in that seat that while you weren't a part of that party in 1993 when they launched the social contract, they had no respect for people who were going to suffer by those agencies that got cut, just like the rest of the government did. Your party did that, with no hope of helping those who were helping vulnerable people. For you to stand today in the House to give me a lecture about what we've done is a little bit galling.

But I will say that in these first 18 months of our government, we have worked across the board to change policies, to actually set some policies—



**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary.

**Mr. Prue:** Minister, I am talking about 2,500 seniors who have lost their disability benefits. You said, "Our concern surrounding the 60- to 64-year-olds is significant. We find that the treatment of this group is really offensive."

These fragile seniors are often forced to participate in job retraining programs under Ontario Works, even though few employers will hire them because of their age and/or disability. It's only a small group of people we're talking about, Minister, but it's a group that really needs your help. You are the one who said this policy was wrong. Will you restore the dignity of these seniors by making them eligible for disability benefits, or are you more content to act just like Mike Harris?

**Hon. Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** That's mean.

**Hon. Ms. Pupatello:** I was going to say that was really mean. That was outrageous.

Let me just say this: In 18 months we have moved on virtually every single front when it comes to dealing with poverty, when it comes to dealing with individuals who are on welfare or ODSP.

I hope the member opposite, who is the critic for this particular area will, at a minimum, acknowledge while he's speaking in this House—I want to know which one of the several improvements that member disagrees with. Is it the 3% increase for the first time in 12 years? Is it the amount of people who are out there getting placed through the Jobs Now initiative that this particular member wanted absolutely nothing to do with? We have hundreds and hundreds of people today, because of that pilot, who are now being placed with actual jobs. Stand in this House today and tell me which of our initiatives you disagree with. Tell me which ones you would not do so you could help these people who need more help from government than others.

**The Speaker:** Thank you. It would be more helpful if you'd direct the question and answer to the Speaker.

1500

## INFRASTRUCTURE PROGRAM FUNDING

**Mrs. Linda Jeffrey (Brampton Centre):** My question is for the Minister of Public Infrastructure Renewal. On May 25, 2005, you released a five-year, \$30-billion infrastructure plan entitled ReNew Ontario. This plan addresses infrastructure investment projects that are long-overdue and urgent new initiatives. While my riding of Brampton Centre looks forward to the completion of our new hospital in 2007, we are still eagerly awaiting and anticipating the start of construction on the long-awaited Highway 410 extension.

Recently, the infrastructure gap was estimated at roughly \$100 billion. How will this new plan address such a huge deficit in required infrastructure investment?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** That's a great question. Ontario's economy depends on infrastructure that is modern, reliable, efficient and affordable. Our government is investing \$30 billion over the course of the next five years. We understand the need to invest in infrastructure, because it has been neglected for far too long by too many governments. The McGuinty government will not wait any longer to rebuild Ontario.

We will be investing, as I said, \$30 billion toward the infrastructure gap, because this province and our government are committed to supporting key priorities of health care, education and economic prosperity. We'll be investing more than \$11 billion in public transit, highways, borders and other transportation, more than \$10 billion in schools, colleges and universities, and more than \$5 billion in hospitals and other health care facilities.

**Mrs. Jeffrey:** We have an ambitious, multi-billion dollar plan to repair and upgrade the province's deteriorating infrastructure. I understand we're faced with hospital buildings that are, on average, 43 years old, schools that date back to the 1920s and water systems that are over 100 years old. Minister, how are we going to address the infrastructure deficit created through past neglect and meet the needs of a growing population that puts the public interest first? Is there more that can be done by the federal government to help Ontario address this gap?

**Hon. Mr. Caplan:** The member for Brampton Centre is quite correct: There is more that can be done to help Ontario reduce its infrastructure gap. We think the federal government should provide Ontario with a greater and, we believe, a fairer share of infrastructure investments. For example, federal infrastructure programs since the year 2000, including the new federal gas tax money, will deliver \$73 per person in Ontario compared to \$93 per person for projects outside Ontario.

We believe the federal government is hearing our message, but Ontario deserves a fairer share. We continue to call on the federal government to increase Ontario's share of infrastructure investment. Together, Canada and Ontario must increase our investments in strategic shared priorities such as the Windsor-Detroit and other border crossings, highways and public transit expansion, and especially, high-quality post-secondary education.

## ADOPTION DISCLOSURE

**Mr. John Tory (Leader of the Opposition):** There seems to be a bit of a traffic jam in front of the Minister of Community and Social Services. My question is for the Minister of Community and Social Services, and it concerns our ongoing discussion around the adoption legislation. A week ago, the minister introduced 40 pages of amendments to the bill, and yesterday, additional amendments were introduced. Some of these do address, in whole or in part, some of the issues that have been raised in this House by our caucus and by others elsewhere. Other issues, however, remain unaddressed.

We support the steps you've taken to improve this bill by providing added protection to adopted children who were the victims of abuse. Will you now do the same thing—I would say the right thing—and provide the same kind of increased protection for the rights of women who gave up children for adoption after being sexually assaulted?

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me correct the record, firstly, and suggest that many of those amendments that the Leader of the Opposition saw were from members of your own caucus and members of the NDP, who all submitted amendments to the bill. Many were technical in nature. Several, I will say, were things to do with regulatory work, which we will do. We've not eliminated or said no to those amendments; they are all items that will be dealt with in regulation. This member knows, with his own background, what belongs in the law versus what belongs in the regulations. That's number one.

On the second point, the amendment that was introduced this past Monday is a direct response to your previous query of a week ago today, where I said that those items that you want will be in regulation. If you are more comfortable seeing it not in the regulations but in the law, we are prepared to deliver that amendment to you. But we have said from the beginning that there are two pillars here that we will maintain: retroactivity and an open adoption process. What we're saying today is that the bill is as we have discussed in the past. The things that you've asked for, you have certainly seen.

**Mr. Tory:** I have just asked for the same kind of increased protection for women who are the victims of sexual assault, and I'll leave that with the minister.

Minister, the entire debate that we're having here, which is one that I think is something we should be doing here, is about ensuring a better piece of legislation. So while on the one hand we're quite rightfully extending the rights of one group, namely adoptees, we must also ensure at the same time that we don't infringe upon the rights of others. We've heard the privacy commissioner express serious concerns. We've heard of possible constitutional challenges, and we have the precedents of other provinces.

My question is, are you willing to work together to find a way to protect these privacy rights for all citizens who wish to assert them and, at the same time, dramatically extend the rights of those who want more information? By your own numbers, we could provide expanded access to information for fully 97% of the people who want it, while at the same time making sure we protect the privacy rights of all people, in particular the 3% who apparently, based on history, choose to assert them. Why can't we work together to make sure that we have that kind of win-win for as many people as possible?

**Hon. Ms. Papatello:** Let me say this: From the 1960s and onward, there have been thousands and thousands of people who have simply been denied information about

who they are. The United Nations, in the conference on the child, has ultimately landed on the rights of the child. That adult child today has a right to that information about who they are, to know, which is extremely different from their right to a relationship.

Today, because of the bill that is before the House right now and at committee, we are for the first time protecting these individuals by giving them the opportunity for a no contact to be placed on that file. In today's world what is happening, in the absolute absence of any structure, is a lack of any protection for these same women you are purporting to want to support. But when you don't support the bill, you are suggesting that—they have no support. They will have no protection. They're able to place a no contact, and no contact, as has happened in every jurisdiction that uses it, has worked.

We believe, however, that adult adoptees have the right to information, and we are deciding on the side of that adoptee.

#### ABORIGINAL AFFAIRS

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the minister responsible for native affairs. In the McGuinty budget for this year, on page 29, you boast about cutting the budgets of 15 ministries. One of the ministries that you boast about cutting the budget in is the ministry of native affairs. We are told that there's a 22% budget cut. We're told that part of that budget cut will be a termination or a substantial reduction in the aboriginal economic development program. Minister, is this what the McGuinty government calls a new approach to building stronger First Nations?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for this question. I find it passing strange that it comes from this member, considering that the reason that the budget went up last year was because this government—the McGuinty government—signed the largest land claim settlement in the history of Ontario in that member's riding.

I am proud to have been there at the signing ceremony for the Rainy River First Nation. I was proud to stand there with the member opposite, who just asked this question, who in fact thought that the land claim settlement was a very positive day for his community and a positive day and part of the new approach for aboriginal affairs. So my question to the member is, have you changed your mind?

1510

**Mr. Hampton:** I want to quote from a letter from the chief of the Rainy River First Nation addressed to the Premier, with a copy to the minister. He raises the issue of a 22% cut to the Native Affairs Secretariat. He says, "ONAS historically has been underfunded and treated fiscally unfairly and disproportionately to other government ministries," and he says that, if anything, the Native Affairs Secretariat deserves a funding increase.

But I want to get back to the question. We've been told by people who work out there, in the area of



economic development with First Nations, that they have been instructed by your government not to plan anything beyond June 30 of this year: Don't plan any projects; in fact, don't plan on having a job. I say to the minister again, is this part of your new strategy for developing relationships with First Nations? I ask the minister, stand today and announce to all First Nations across Ontario that there will be no cuts—

**The Speaker (Hon. Alvin Curling):** Thank you, Minister.

**Hon. Michael Bryant:** Actually, I wasn't done. We didn't settle just one land claim. This government has settled three land claims since we took office. If the member opposite is suggesting for one moment that the chief for Rainy River First Nations does not support the largest land claim settlement in the history of Ontario, which benefits his community, I think the member may be getting his facts wrong. Lastly, just so everybody in this House is clear, funding for the redesigned aboriginal community capital grants program in last month's budget was increased from \$1.6 million to \$3.1 million. This is a member who should stand up and be proud about the new approach to aboriginal affairs brought forth by the McGuinty government. I certainly am.

### CONSUMER PROTECTION

**Mr. David Zimmer (Willowdale):** My question is to the Minister of Consumer and Business Services. Our economy depends on consumers' trust in the contracts they sign; namely, that information is stated accurately and services received are the ones they contracted for. I know from my constituents that this is often not the case. Many have expressed dissatisfaction about their lack of recourse when pressured into signing contracts they don't have all the relevant information about. Fitness clubs are a prime example of this. Minister, how will the consumer protection we've passed help consumers to feel more comfortable when making these often high-pressured decisions?

**Hon. Jim Watson (Minister of Consumer and Business Services):** I want to thank the honourable member from Willowdale for his question and for his concern about consumer protection. I'm very pleased that on July 30 of this year, the McGuinty government will be proclaiming the Consumer Protection Act, and we will become a national leader in consumer protection across the country. Under this new legislation that was passed by the Legislature, consumers and businesses will have new rights and responsibilities.

The Consumer Protection Act, for instance, institutes a 10-day cooling-off period for prepaid services such as fitness clubs, lawn care agreements, and timeshare and vacation club contracts, also cooling-off periods for door-to-door salesmen. Not a day goes by where my ministry is not contacted by an individual who has been ripped off as a result of a door-to-door salesman selling air purifiers or aluminium siding or vacuum cleaners. This is going to actually put teeth in the law.

**Mr. Zimmer:** Smart consumers are good for business. I know that this provision will put many consumers' minds at rest. Another common concern for my constituents is often the unpredictable world of estimates, whether you're having your washing machine fixed, your house painted or your lawn fertilized. It's frustrating and costly when the cost of services does not match the estimates you took in good faith. Minister, can you tell us how the Consumer Protection Act will give consumers the confidence they need when having work done on based on estimates, and what fines exist for those individuals and corporations that don't honour their estimates.

**Hon. Mr. Watson:** The Consumer Protection Act ensures that the final cost of service cannot be more than a variance of 10%, and if the estimate is not honoured, the law provides for a number of things, including maximum fines of \$100,000 for individuals, and \$250,000 for companies. Additionally, consumers will have the right to cancel many of the types of consumer agreements if goods are not provided or services are not started within 30 days of the date specified.

One of the final things we're doing—I regret that the Leader of the Opposition is not here to hear this—is that the McGuinty government, once and for all, is going to make it illegal to allow negative-option billing in the province of Ontario. I know the Leader of the Opposition would stand and applaud that this government is saying no to this terrible attack on consumers in the province of Ontario.

### EDUCATION FUNDING

**Mr. Frank Klees (Oak Ridges):** My question is for the Minister of Education. People for Education released their 2005 secondary school tracking report yesterday. According to that report, over one quarter of schools that received funding for ESL/PDF reported that they had no ESL/PDF teachers—this under your watch, Minister. Can you tell the House, if in fact these schools received the funding, how much of that funding did they receive? How much money was sent to these schools, to these boards, for ESL/PDF, and if it didn't go to ESL or PDF, where did it go?

**Hon. Gerard Kennedy (Minister of Education):** I think it is encouraging that the member opposite would take an interest in English as a second language, because it is probably the first time in the last eight or nine years we've heard someone in the party he belongs to talking about that particular aspect.

The members opposite redefined the assistance and denied it to students. They defined it as how long they were in the country instead of how much assistance they need. We've expanded that assistance significantly, and we've made it available. Of course, it can be delivered by a specialist teacher. It can also be delivered by teachers who have been trained through AQ courses and so on. It doesn't require a special teacher, for example, in a small elementary school.

But this year, we're taking it even a step further. The ESL dollars that we deliver will be more focused on getting results. We think the worst reason for anyone not to obtain a great education in this province would be because they don't have the language of instruction. It's a problem we know how to fix, and now that they've survived the last government, it's a problem that's going to be fixed for the future they're going to have.

**Mr. Klees:** Well, this report relates to last year, when this minister had the responsibility for ESL funding. This report says that under this minister's watch, 25% of the schools that received ESL funding didn't even have an ESL teacher. Minister, I'm asking you this question, or maybe I should ask the Chair of Management Board the question: How much money was involved, where did it go and how was it used? That's my question. Please answer the question.

**Hon. Mr. Kennedy:** I would say to the member opposite that English as a second language is done in a number of settings. Sometimes it's withdrawal from classrooms, sometimes it's done by an English-as-a-second-language specialist teacher and sometimes it's done by a rotating classroom teacher and provided that way.

We gladly accept the input from People for Education. We are going to sit down with them as an organization and go through the things. But I should note that they have given the government credit for a number of things we've done: for turning around the tone of education, for making students and teachers and parents more optimistic about public education, for having the ability to be a disciplined government and focus our investments on exactly the things that matter to the people of Ontario, investing in an education advantage for all students in this province. That includes students who have English as a second language, who have those extra challenges. They would be lost in the crowd. They're not being lost any more, and they're going to get the help that they deserve.

**The Speaker (Hon. Alvin Curling):** I know it would be nice if we had more than an hour for question period—you're all anxious to do that—but I have to say it's the end of question period.

## PETITIONS

### ANTI-SMOKING LEGISLATION

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition from one of the many Royal Canadian Legions that have sent them to me. This happens to come from Branch 155, Southampton. It's to the Legislative Assembly of Ontario.

"Whereas the current government has proposed province-wide legislation that would ban smoking in public places; and

"Whereas the proposed legislation will also prohibit smoking in private, non-profit clubs such as Legion halls, navy clubs and related facilities as well; and

"Whereas these organizations have elected representatives that determine the rules and regulations that affect the membership of the individual club and facility; and

"Whereas by imposing smoke-free legislation on these clubs disregards the rights of these citizens and the original intentions of these clubs, especially with regard to our veterans;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario exempt Legion halls, navy clubs and other non-profit, private or veterans' clubs from government smoke-free legislation."

I've also signed this.

1520

### HIGHWAY 406

**Mr. Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the province's greenbelt legislation and Places to Grow plan have significantly restricted how Niagara can grow and develop; and

"Whereas the development-ready land in Niagara's southern tier lacks adequate transportation infrastructure to facilitate economic development; and

"Whereas the 406 highway from Beavercreek Road in Thorold to East Main Street in Welland is one of the busiest two-lane highways in Ontario, with 27,000 cars daily; and

"Whereas the accident and fatality rate double on the two-lane stretch of the 406 highway in comparison to the four-lane segment of the 406 highway; and

"Whereas the expansion of the 406 highway will attract much-needed new investment and job opportunities for Niagara; and

"Whereas the government of Ontario will receive compensation in 2005 from the federal government in the form of a percentage of the gas tax to be applied towards transportation and infrastructure projects;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Premier of Ontario together with the Minister of Transportation fulfill their existing commitment and place the expansion of the 406 highway in the capital plan for infrastructure projects in Ontario in 2005."

I have affixed my signature, and page Kai will be delivering this to the Clerk's desk.

### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly regarding the banning of smoking in public places in Ontario. I'm pleased to thank and acknowledge two constituents of



Mississauga West, Yingbo Guo of Belvedere Crescent in Erin Mills and Fredric Abalos of Bartholemew Crescent in Meadowvale, who are both in the visitors' gallery making their first visit to the Legislative Assembly.

The petition reads as follows:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I wholeheartedly agree with this petition. I've affixed my signature to it, and I'll ask page Benjamin to carry it.

### HEALTH CARE SERVICES

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition sent to me by Hazel Pratt, CAW 4207 unit chair, RR3, Elmwood, Ontario. It's a petition to the Legislative Assembly of Ontario:

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services."

I've signed my name.

### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** "To the Legislative Assembly of Ontario:

"Whereas during the 2003 election campaign Dalton McGuinty promised to establish a standing committee on

education to ensure transparency in education funding; and

"Whereas such a committee has not been established; and

"Whereas Ontario's education system is not properly funded and there is no transparency in funding;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately establish a standing committee on education to hold public hearings every year on the effectiveness of education funding."

I agree strongly with this petition, and I'm signing it.

### REFUNDABLE CONTAINERS

**Mr. Tony Ruprecht (Davenport):** I have a petition with regard to reducing littering in parks to protect our environment. It reads as follows, to the Legislative Assembly of Ontario and especially to the Minister of the Environment:

"Whereas we find lots of pop cans and beer bottles in our parks plus children's playgrounds;

"Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill every year instead of recycling them;"

**Mr. Richard Patten (Ottawa Centre):** Crazy.

**Mr. Ruprecht:** Yes, that's crazy.

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;"

*Interjection.*

**Mr. Ruprecht:** I agree that we should fix it.

"Therefore, we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I agree with this petition wholeheartedly, I'm delighted to sign it.

### ANTI-SMOKING LEGISLATION

**Mr. Ted Chudleigh (Halton):** I'm pleased that Meredith Williams is here to receive this petition as one of the pages, because she's the granddaughter of Duncan Allan, who is a former deputy minister of agriculture. In the 1970s, I worked in the deputy minister's office and I was pleased to work with Duncan. So I worked for your grandfather.

This petition is to the Legislative Assembly of Ontario:

"Whereas the current government has proposed province-wide legislation that would ban smoking in public places; and

"Whereas the proposed legislation will also prohibit smoking in private, non-profit clubs such as Legion halls, navy clubs and related facilities as well; and

"Whereas these organizations have elected representatives that determine the rules and regulations that affect the membership of the individual club and facility; and

"Whereas by imposing smoke-free legislation on these clubs disregards the rights of these citizens and the original intentions of these clubs, especially with respect to our veterans;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario exempt Legion halls, navy clubs and other non-profit, private or veterans' clubs from government smoke-free legislation."

I agree with this petition, and I will gladly sign my name to it

#### TEACHER QUALIFICATION

**Ms. Deborah Matthews (London North Centre):**

I'd like to read this petition into the record.

"To the Legislative Assembly of Ontario:

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will have met all the requirements of the individual faculties; and

"Whereas these same publicly funded faculties of education in the province of Ontario have all met the stringent standards as outlined and controlled by the Ontario College of Teachers; and

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will be placed at a severe disadvantage if they are given a provisional certificate of qualification by the Ontario College of Teachers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To make the changes necessary to the Education Act and/or its regulations in order to grant the 2005 graduates of the publicly funded faculties of education in the province of Ontario a permanent certificate of qualification, or

"To deem that the bachelor of education degree granted to the 2005 graduates of the publicly funded faculties of education in the province of Ontario deems them to have completed the equivalent of the Ontario teacher qualification test, thus allowing the Ontario College of Teachers to grant these same graduates a permanent certificate of qualification."

I will attach my name to this petition.

1530

#### GASOLINE PRICES

**Mr. Gerry Martiniuk (Cambridge):** I have a petition signed by many good citizens of Cambridge, addressed to the Parliament of Ontario.

"Whereas gasoline prices have increased at alarming rates during the past year; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working Cambridge families;

"We, the undersigned, hereby petition the Parliament of Ontario as follows:

"(1) That the Ontario McGuinty Liberal government immediately freeze gas prices for a temporary period until world oil prices moderate; and

"(2) That the Ontario McGuinty Liberal government and the federal Martin Liberal government immediately lower their taxes on gas for a temporary period until world oil prices moderate; and

"(3) That the Ontario McGuinty Liberal government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario."

As I agree with this petition, I will affix my name thereto.

#### TENANT PROTECTION

**Mr. Tony Ruprecht (Davenport):** I have a petition addressed to the Parliament of Ontario and it reads as follows:

"Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

"Whereas the Ontario Rental Housing Tribunal ... created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs and this same act has given landlords wide-ranging powers to evict tenants; and

"Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board ... to add a fourth high-rise unit to our compound in order to circumvent city of Toronto restrictions on density and the city's opposition to its project"—

**Mr. Rosario Marchese (Trinity-Spadina):** Don't rush it, Tony.

**Mr. Ruprecht:** I know you agree with this petition.

"Whereas this project would lead to overcrowding in our densely populated community, reduce our precious green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

"Whereas this project will drive away longer-term tenants partially shielded from the post-1998 ... rent increases, thereby further reducing the number of relatively affordable units in the city core; and

"Whereas before ... October 2003 ... 'real protection for tenants at all times'" was "a radical overhaul of the pro-developer OMB; ...

"We, the undersigned residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:



"To institute a rent freeze until the exorbitant Tory guideline and above-guideline rent increases are wiped out by inflation;

"To abrogate the [existing] 'Tenant Protection Act' and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT and reinstates real rent control, including an elimination of the Tory policy of 'vacancy decontrol';

"To keep the McGuinty government to its promise of real changes at the OMB, eliminating its bias toward wealthy developers and enhancing the power of groups promoting affordable housing, sustainable neighbourhoods and tenant rights."

This petition has been signed by over 200 residents. I will pass this forward to you for your consideration.

### ANTI-SMOKING LEGISLATION

**Mr. Ted Chudleigh (Halton):** This is a petition to the Legislative Assembly of Ontario, and Kai is here to receive it for me. Kai is a very avid page. When you give Kai a job to do, he does it very quickly. I can tell you that from personal experience.

"To the Legislative Assembly of Ontario:

"Whereas the current government has proposed province-wide legislation that would ban smoking in public places; and

"Whereas the proposed legislation will also prohibit smoking in private, non-profit clubs such as Legion halls, navy clubs and related facilities as well; and

"Whereas these organizations have elected representatives that determine the rules and regulations that affect the membership of the individual club and facility; and

"Whereas imposing smoke-free legislation on these clubs disregards the rights of these citizens and the original intention of these clubs, especially with respect to our veterans;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario exempt Legion halls, navy clubs and other non-profit, private or veterans' clubs from government smoke-free legislation."

I affix my signature to this petition.

**The Acting Speaker (Mr. Ted Arnott):** The time available for petitions has expired. We now look to the government to call the orders of the day.

### ORDERS OF THE DAY

#### ENVIRONMENTAL ENFORCEMENT STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS SUR L'ENVIRONNEMENT EN CE QUI CONCERNE L'EXÉCUTION

Mrs. Dombrowsky moved third reading of the following bill:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

**The Acting Speaker (Mr. Ted Arnott):** Mrs. Dombrowsky has moved Bill 133. I look to the Minister of the Environment to lead off the debate.

**Hon. Leona Dombrowsky (Minister of the Environment):** I'm very honoured to have an opportunity to speak at the third reading of an important bill before the Legislature, a bill that has been amended. It has been to committee twice.

It's important, particularly for those who are watching but also for the members who are with us this afternoon in the Legislature, to talk a bit about the history of the bill and its journey here to third reading.

I want to share with the members of the Legislature that in the St. Clair River—a very important part of the province of Ontario; it forms the boundary between our great country and our neighbour to the south, the United States—between August 2003 and February 2004, there were five major illegal chemical spills into the St. Clair River. The St. Clair River is a source of drinking water for people who live in communities along the river. These spills forced the closure of water intakes in Wallaceburg and other downstream communities. People were understandably very worried when they were unable to access drinking water from their taps. That has an impact on local community public facilities like hospitals, schools and nursing homes.

As a result of what I thought of as an unacceptable rash of illegal spills, I asked the Ministry of the Environment SWAT team to go to the Sarnia area. I asked them to inspect the petrochemical facilities that are significant in that community and to bring me their ideas around: Why are these spills happening? What could we as government do to ensure that these spills do not continue? What incentives could we put in place for the safety of the people in those communities?

As a result of their good work, I'm very pleased to say that we introduced Bill 133, which we believe will go a long way to encourage compliance in the industrial community and also to provide communities that are affected by these events with resources to address the emergencies when they occur. I think all of us in this province would agree—and I have to say that over the course of our deliberations with stakeholders and at committee, we heard from environmentalists, from people who had lived in communities affected by spills. They don't believe it's fair that the taxpayers in those communities bear the burden of managing in those events, but rather, that it should be the individual or the company responsible for the spill who pays for all the costs associated with that kind of emergency.

1540

Our government introduced Bill 133 in October. We paid very careful attention to the people who came to us

following its introduction. There were some concerns. There were people for whom the notion of spills was not new, but certainly new in this province. We felt that we had a responsibility, because we are so committed to ensuring as we go forward that we have sound legislation that will protect the people in our communities, that will protect our environment, that will inspire good and sound environmental practices within the industries in this province. We took the opportunity to listen to the many stakeholders—environmental stakeholders, industrial stakeholders, community stakeholders—and the points they wanted to share with us on this bill, and I'm very proud to say that our government has listened.

We introduced amendments to Bill 133 that I know reflect some of the requests that were made by the many deputants who spoke to Bill 133. We've also made some changes that reflect the ideas that came to us from both opposition and third party members.

I'd like to just take a few moments to talk about the nature of the amendments we have introduced, so that the people of Ontario can understand that we continue to have a sound piece of environmental legislation but also one that I believe demonstrates that we are prepared to consider some of the important issues that came to our attention.

We have ensured that only a Ministry of the Environment director can impose an environmental penalty, not a provincial officer. That was something that stakeholders brought to our attention, and this government believes it's certainly a reasonable consideration that we've made in the bill.

We've also clarified that environmental penalties shall only be imposed against the company, not the company officials or the company employees. Again, that came to us from companies that I think put a compelling case. From our perspective, we're interested in ensuring that the people and communities are compensated. We felt that as long as we're able to ensure that the people get those resources they deserve, we were able to accommodate this.

A company that receives an environmental penalty will not have that penalty taken as an admission of guilt in a subsequent prosecution, and we think that is fair, of course.

We will also draft regulations that will ensure that a company's actions to prevent or minimize or expedite a cleanup will be taken into account when a penalty is considered. So when a company is able to demonstrate that they have done their best to prevent a spill or that when a spill happened, they moved as quickly and expeditiously as possible to mitigate its negative impacts on the local community and the local environment, we think that should be taken into account when considering the amount of a penalty.

While the officials may not be penalized, corporate officers and directors still have the responsibility to ensure that their corporations do comply with provincial environmental laws. We also introduced a motion that will require directors and officers to ensure that cor-

porations satisfy their duty to notify the ministry when spills occur and to clean up after that spill.

We've moved to amend Bill 133 so that it very clearly states that the court shall consider the payment of an environmental penalty in determining a fine.

In response to stakeholder comments, we will also introduce a motion that will require those industries specified in regulations to prepare spill contingency and spill prevention plans. This is a very key part of this legislation, where now our government will have the ability to say to industries that we want them to demonstrate what they will do to prevent a spill from even happening. It's one thing to have a contingency plan in place—"In the event of a spill, we will do this, this and this"—but people in communities expect companies to exercise due diligence and to employ strategies within their business that will prevent spills from ever happening.

**Mr. John Wilkinson (Perth-Middlesex):** That's proactive.

**Hon. Mrs. Dombrowsky:** It is very proactive, as my colleague has indicated, and it was largely supported by the people who made presentations to us at committee.

It's important for the members of this House to be aware that we have worked very hard to collaborate and co-operate to build good and sound environmental legislation here. To that end, our government did introduce 71 amendments after we listened very carefully to what people were suggesting to us. I would also like to add that the official opposition brought forward 29 amendments, and some of their amendments were actually accommodated with the ones that we brought forward. At the end of it all, fully 14 of the ideas that they brought forward to improve this legislation we have been able to accommodate.

I want to talk about our friends from the third party and the good work that they have done to help build a stronger piece of legislation. They introduced seven amendments, and I'm happy to say that over half—fully four—have been accommodated in the amended bill that we have before the House here this afternoon. That demonstrates very clearly that everyone in this Legislature has a real desire to move forward with a piece of legislation, and to ensure that it will in fact achieve its goal of better protecting communities and better protecting our environment.

I think that it's important also to address some of the concerns that have been presented publicly, that have been presented even during the consultations in the committee hearings that we had. There was a suggestion that these penalties were something new, and that they were not in effect in any other province or state or jurisdiction. When we did our homework, we came to realize that administrative penalties are usually effective in other jurisdictions. They are in place in the United States. An example would be the US EPA. That act in itself does accommodate the levying of penalties; they're also in New Jersey and Massachusetts. Right here in Canada, our own federal government has legislation that enables



penalties to be levied under Agri-Food Canada and the Income Tax Act, and there are environmental penalties in Alberta. I think it's very important for people in Ontario to know that we have looked very carefully and closely at how penalty regimes have been employed in other jurisdictions, and we have been able to take those models and bring them to this particular circumstance in Ontario.

It's interesting as well that administrative penalties in the United States can range up to \$10 million—in the state of New Jersey, as a matter of fact—for certain contraventions. I thought it was important that I take the time to identify that while there has been some presentation that this is unprecedented, the issuing of penalties is something that other jurisdictions have in fact employed to ensure that other sectors managed by government have the ability to issue penalties.

I've also been very heartened over the course of the debate of Bill 133 that, after first reading and after second reading, with all the consultations that we've had with stakeholders, the government has received many endorsements by people, some who perhaps are not totally happy with the bill as it is written now, but would agree and believe that the government has made an honest and earnest effort to consider their issues. They say that, "At the end of the day, it may not be written the way we would have written it, but we can live with it." Because they understand why we're doing it, they are prepared to support it.

I do want to talk about some people, though, who I think have been integral to our process and who have offered some very important comments that the people of Ontario should hear. The first quote is from Dr. Isobel Heathcote from the University of Guelph, who was the co-chair of the Industrial Pollution Action Team. Of this bill, Dr. Heathcote said, "I am delighted to see the McGuinty government taking prompt action to manage spills in Ontario's environment. The proposed actions are substantive and groundbreaking, and will go a long way toward improving the quality of Ontario's lakes and streams." We really appreciate that comment.

Also, Dr. Ted Boadway, who is the executive director of health policy at the Ontario Medical Association, said that he would offer his congratulations on the "plan to strengthen legislation aimed at reducing dangerous pollution spills. Just as incentives for cleaner business practices make sense, so do corporate penalties for threatening the health of those who live and work in the community. Your effort to penalize industries for spills is an important element of pollution reduction. This, along with more health protective emission limits, will significantly improve the health of our patients." So again, we appreciate the words of support from Dr. Boadway.

1550

Paul Muldoon, of the Canadian Environmental Law Association, says, and these were comments from the standing committee presentations: "This bill is not academic; it's not responding to a phantom concern. It's a real concern to the people of Ontario, and action is needed ... this tool has been used effectively in other

jurisdictions such as British Columbia and New Jersey.... Why would we handcuff our environmental officials to deal with such an urgent problem? Let's give them the necessary tools and legislative power to act, to act preventively, and to act on an urgent matter. The intent of the legislation is clear, it's needed and we should push ahead with it."

Richard Dresher, vice-president of CMD Insurance Services Inc., has also provided a very interesting perspective: "Insurance can have a significant impact on achieving what we ... perceive as the goals of this legislation. It provides a pool of money to quickly respond to any spill and reduces the effect on the community. It provides funds to compensate the innocent victims who suffer a loss as a result of a spill. It levels the playing field between the good and the bad actors and provides third-party verification that companies have an effective environmental management system in place. Those companies with good systems will have a low risk of a spill.... This will translate into a lower cost of insurance." As so often is the case when companies employ good environmental practices, it actually saves them money. It's good for the bottom line. Here we have an official from CMD Insurance Services Inc. actually verifying that.

Mr. Speaker, I know that a number of my colleagues want to have an opportunity to make comment on Bill 133, and I do look forward to hearing their perspectives. I want to take this opportunity to thank all members of this Legislature who have worked very hard at committee and at clause-by-clause to ensure that we have crafted the very best and soundest piece of environmental legislation we possibly can.

**The Acting Speaker (Mr. Bob Delaney):** Questions and comments?

**Mr. Ted Chudleigh (Halton):** The minister spoke about the bill she has brought in, which increases fines tremendously. Of course, there's one point in the bill which causes, I think, concern to many people in the industry and causes a great deal of concern on this side of the House and to other people in the environmental area.

No one in Ontario would support anything that would add to pollution or go easy on polluters. But the concept that there's a reverse onus on the polluter, that he is guilty until he can prove himself innocent, is of great concern to people who are concerned with the legal system in this province. It's a precedent-setting bill that changes the way people approach the law. That gives great concern to many people. Even though everyone wants to be very tough on polluters, the onus on someone—through no fault of their own, perhaps, something happened on their property and it would be up to them to prove, through a process, that they were innocent, as opposed to our system of law where people are innocent until found guilty in the courts either by government or by government agencies, or in the case of lawsuits, by some other individual. The fact that that is being introduced in this bill gives us great concern about going down that road. It could be a very slippery slope if we were to continue down there very far.

**The Acting Speaker:** The member for Perth-Middlesex.

**Mr. Wilkinson:** I think it's the member from Sarnia.

**The Acting Speaker:** Member for Sarnia-Lambton.

**Ms. Caroline Di Cocco (Sarnia-Lambton):** I know that the parliamentary assistant followed this through committee and has a great deal to comment on. But I thank you.

Bill 133, I believe, is a bill that certainly has had a great deal of feedback from industry as well as people on environmental matters. To me, this is the approach of the 21st century, which means that industry and environmental stewardship have to go hand in hand in our sustainable development model that I think this province wants to attain. I've certainly heard from many in industry who are impacted, and there are companies that suggest, with some of the modifications or with some of the amendments, it is a progressive way to attain good environmental responsibility from industry.

I want to commend the courage of the Minister of the Environment and the Premier in saying that we need to move forward in a way that is proactive, in a way that's about prevention, not about reacting. My community has for many years been dealing with the reactive nature of many spills and how these things impact on people and on the workers. It's time that we move beyond the reactive and move to the proactive. That's what this bill is. This bill is about no tolerance for spills and emissions that are going to impact our environment today.

This is the 21st century. It's time that we move forward in a pro-environment and pro-industry movement, if you want. That's what this government is doing with this bill, and with the amendments, I believe that it will be better for the future.

**Mr. Gerry Martiniuk (Cambridge):** I'm pleased to comment on Bill 133. Unfortunately, I cannot be too kind to this bill. It seems to me that it is a matter of reacting. It's sort of the same old thing. The lawyers in Ontario must look at this bill and feel very good about it, because it's almost like a built-in pension if you happen to be a barrister practising in the field of environmental law.

One would have thought with a bill of this size that there would have been some thought. We should be proactive rather than reactive. That would seem to be the modern way to approach this problem, because environmental problems are serious problems that affect our citizens and their families. Unfortunately, as I say, this particular bill lacks in effectiveness in that, rather than being proactive, it purely is reactive.

Basically, all this bill does in many cases is increase fines. That's fine and good if it would solve the problem. Unfortunately, history would tell us that that is only a small first step, that we must be much more proactive if we are to solve the serious environmental problems which face our citizens and the province of Ontario in this century.

**Mr. Wilkinson:** I'm very pleased to stand and provide my comments in regard to third reading debate on Bill 133. This is a bill that, as the parliamentary assistant to

the Minister of the Environment, I have learned a great deal about. I was talking to some people in Stratford the other day. "What is a certified financial planner from Stratford doing on the 15th floor of the Ministry of the Environment?" I said, "Learning a great deal about environmental law."

I just want to speak about the questions that the member from Halton brought up about reverse onus. Under environmental penalties—and we have to remember that this is not a criminal matter; this is a civil matter—we had a broad stakeholder agreement that polluters are the people who need to be paying for a spill, that it shouldn't be the taxpayers, that it shouldn't be the people downstream, that it shouldn't be the innocent who pay. That's what is happening in this province today. That's something this very progressive piece of legislation is geared to do, something that happens in other jurisdictions across North America and throughout the world. We in Canada, and we specifically in Ontario, have not been leading. This is just our following and catching up.

1600

In regard to reverse onus, if the ministry at the director level or above issues an environmental penalty, it is up to us to actually state what happened and when it happened, and to be very specific. We send it to that company. The company is in the best position to defend itself and say, "Actually, that didn't happen. We are such great environmental stewards, we know exactly what comes out of our stacks. We know exactly what comes out of our pipes. Therefore, we can say to you that we didn't do it." But if the company does not have a spill prevention plan, does not have a spill contingency plan, is not an ISO 14,000 company, is not monitoring what's coming out of their plant, then they need to rise up, like some of their competitors have done, like some of the more progressive companies in this province have done, and be great stewards of the environment.

This is a matter of raising that bar. I think we have found a great balance in this bill between the competing interests.

**The Acting Speaker (Mr. Ted Arnott):** That concludes the time for questions and comments. I return to the Minister of the Environment. You have two minutes to reply.

**Hon. Mrs. Dombrowsky:** I would like to thank the members from Halton, Sarnia, Cambridge and Perth-Middlesex. Because my colleague from Perth-Middlesex addressed the issues that were raised by the member from Halton, I think I'm going to focus on some of the comments that were made by the member from Cambridge.

He has suggested that the bill is not proactive. I would suggest that he read the bill. When he reads the bill, he will very clearly see that for the first time in Ontario, we can now order MISA-sector facilities to have spills prevention plans. Up until now, the only thing they may have had would be a spill contingency. So they may have a plan about what they would be prepared to do in an emergency when a spill happens. But what this piece of legislation will require, if passed, is that those MISA



facilities will have to demonstrate their plan to prevent spills from happening. They need to consider, what if the power goes out? What if there is a breach of a containment facility within their operation? What do they have in place to ensure that the environment is protected, that the people in that community are protected? So I would offer to the member for Cambridge that I believe this is a very proactive approach.

I also think it's important to correct, for the record, that this has nothing to do with fines. That is a very separate part of a process in the event of a spill. It may happen after the Ministry of the Environment has done their inspection. They may call in the IEB, the investigation enforcement branch, investigate, and charges may be laid. That process goes to the courts and fines may be levied. But penalties are about providing resources to people who have been affected by illegal spills.

**The Acting Speaker:** Further debate?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):** As I rise to commence my one-hour debate, I get a distinct feeling of déjà vu all over again. It's really as if life is replaying itself again and again right before my eyes. You know, I could have sworn we just debated the exact version of this bill last Thursday. This is Tuesday afternoon. Last Thursday afternoon, we debated exactly the same bill. That's bearing in mind that this bill, on Monday, was subject to additional hearings and also clause-by-clause. But there were no amendments during clause-by-clause. The government put forward no amendments. The opposition put forward an amendment that was roundly defeated. But of course, that was before this government in a sense paid little more than lip service to the concept of committee hearings, scheduling a quick session Monday morning before putting through clause-by-clause without so much as one change. Not that I would suggest that the government, after waiting a number of months following introduction, would now try to rush this bill through, but in all reality, if what was seen in the course of Bill 133's progress through the House is representative of this government's commitment to democratic renewal and public consultation, then I would put that that commitment is a bit of a joke.

It has been a bit of a long and winding road to this point. I will stay tuned. At this point nothing would surprise me, in terms of where we go next. There are what I consider a number of bizarre twists and turns that continue as this ship heels from side to side and attempts to get back on course. We have a bill here: Bill 133. It is considered by many to be flawed; it was considered to be flawed upon its introduction. We did receive, initially—I know the minister made mention of them—71 government amendments. We received 130 pages of amendments, and I think we all recall that during clause-by-clause—that was the first time, after first reading—just before we were to vote on various sections, we continued to receive additional amendments. I recall at least two amendments were dropped on members of the committee just before they were due to vote. These amendments alone were seven pages long. So I'm concerned.

I do ask you to follow the bouncing ball, if you will. First of all, I'll do just a bit of a historical review. The government brings forth the bill without any public consultation. There was no industry consultation whatsoever. Then we had a number of months of silence; a winter of silence. Thirdly, the minister announced that Bill 133 didn't necessarily mean that if you spill, you pay. The minister had stated this, but instead, you would only pay if you were one of the large MISA companies. All others are off the hook. I don't know what Justice O'Connor of Walkerton fame would have to say about that.

Then, Liberal-friendly lobbyists gain access to the cabinet table. We find the government is interested in hearing from industry, and it sets up an invite-only session for supposed input and consultation. Then we had two short days of committee hearings, followed by what some would consider an epic novel of 70-plus amendments—amendments that, in my mind, were a clear admission of the faults that I identified earlier in my remarks, faults inherent in the spills approach right from the get-go. I will mention that opposition parties, both the official opposition and the third party, came forward with an additional 30 pages of amendments.

There was one day of second-reading debate—that would have been last Thursday afternoon—giving way to another day of committee hearings and clause-by-clause yesterday. Government members failed to listen to anything the presenters had to say yesterday, and the sum total of amendments made yesterday in clause-by-clause by the government was zero.

Some may say that zero is too many amendments. I will point out that the opposition did bring forward one amendment. It was an embarrassing situation all around. One amendment was important—if for anything, at least to have some discussion during clause-by-clause. I do regret this. I feel this is poor form, as I've indicated. I feel this is an embarrassing situation. I personally felt somewhat embarrassed to be part of this process. I feel it reflects poorly on this Legislature and on the members. I think it reflects poorly on the process whereby a bill becomes law.

**1610**

However, that brings us to today and the proposed legislation that we have before us, the identical proposed legislation we debated last Thursday. It's identical. I do want you to know that we, on the PC opposition benches, tried to ensure that committee hearings weren't simply ignored. We tried to ensure the government game-playing didn't amount to essentially a waste of time for all involved. Those organizations that would have been contacted, perhaps Thursday night, certainly last Friday—I know we phoned a number of stakeholders who had testified previously to ask them to come in. When it's all said and done, I would say that Monday was a waste of time.

We did read in a motion. We proposed an amendment for discussion by the committee regarding deemed impairment. Committee members and members of the Legislature should remember that we heard a lot about this phrase “deemed impairment” yesterday morning. They

didn't seem to recall that issue when it came time for changes suggested by those who testified before the witness table. I'll give the member opposite a little bit of a refresher. He has an excellent memory. I hope it's not like mine, and somewhat short. I would say he has an excellent memory.

You know, I spoke about this yesterday. My issue was that there was some commonality of concern amongst three of the major presenters who testified, not only the Canadian Manufacturers and Exporters association, but also the Ontario Mining Association as well as what's called the Coalition for a Sustainable Environment, an umbrella organization that I would say represents most of the major industrial sectors in the province of Ontario. And we had environmentalists yet again testify on Monday morning.

By way of example, the rationale for the Canadian Manufacturers and Exporters association's concern was that, as they indicated, two paragraphs of the definition of "deemed impairment" had been changed by government motions and therefore had created new concerns. This comes from the manufacturers association:

"While the definition of 'deemed impairment' is very broad, the addition of paragraph (c)"—which members opposite will find in the legislation on page 44, if we could all please turn to page 44—"('peer-reviewed articles as proof of impairment') to the definition is particularly disturbing and it significantly changes the evidentiary issues in relation to 'deemed impairment'. While this amendment may have been intended to create greater scientific certainty, it appears to have the potential for the unintended consequence of doing the reverse. Any peer-reviewed article from any jurisdiction, notwithstanding other more current information or perhaps other peer-reviewed articles to the contrary, could potentially be used to determine impairment."

That was one organization that recommended the paragraph be deleted. They were very clear in their recommendation to government, the opposition and the third party yesterday.

The coalition of industry groups—their spokesperson yesterday was Dr. Surplis. He addressed this same issue as well, stating that this definition of "deemed impairment" has "an unintended consequence in that anyone, with or without expertise or authority, could use this definition for their own purposes," in a fashion not at all consistent with government policy.

In the meantime, Chris Hodgson—  
*Interjection.*

**Mr. Barrett:** Sorry; I can't hear the comments across the way. I'd ask the member opposite to raise his voice—

**The Acting Speaker:** I was going to say to the government member, please don't heckle the member for Haldimand–Norfolk–Brant. If he wishes to speak to him after his speech, that's fine, but not while he's got the floor.

The member for Haldimand–Norfolk–Brant has the floor.

**Mr. Barrett:** Thank you, Speaker. I was trying to communicate to the House that Chris Hodgson, the

former cabinet minister who now represents the Ontario Mining Association, indicated that it was their number one issue with Bill 133, stating, and I'll quote Chris Hodgson, "The definition for 'deemed impairment' under the Ontario Water Resources Act only looks at the material being discharged. It does not look at the circumstances of the discharge, such as how much is being discharged or even the risk of an adverse effect." He further explained, "For example, every bit of seepage from a rock pile could be considered an offence because it would contain metal. There would be no consideration as to whether or not the seepage could or would cause an adverse effect." His only request, really, was to ask that these subsections be amended so that the circumstances of the discharge are included in the definition.

This testimony followed previous testimony by Mr. Hodgson, his first presentation to the committee, when he stated that currently, "Section 28 of the Ontario Water Resources Act states that even if water quality is not or may not become impaired otherwise, it is deemed to have been impaired if the material discharged may cause injury to any person, animal, bird or other living thing." He went on to point out, "Under section 2 in Bill 133, the definition 'deemed impaired' is much more stringent than the existing wording. The proposed definition will include the test for any organism, whether or not that organism lives in that habitat. In essence, it appears the government is trying to say that even the discharge of non-inherently toxic substances will be prohibited."

Very clearly, I think all would agree, this is impractical. I would argue that the general public would understand this to be not only impractical but, I would suggest, impossible in many cases—at minimum, unnecessary to implement, for those of us who operate in the real world. This should be debated in a separate bill, as it does not apply to the slogan we hear opposite: "You spill, you pay." I do wish to clarify that if someone is involved in an illegal spill, they should pay. The polluter should pay.

I regret to say that when it came time to propose amendments, the government was mute. They had invited these people in for consultation. They invited both industry and environmental groups to come in to present changes. They heard testimony. They didn't listen. I was listening. I will say that the member for Parry Sound–Muskoka was in attendance and was listening. We introduced an amendment on behalf of the PC opposition. If you'll bear with me, I'll read the amendment. It is very brief; it's two or three lines, really not that onerous or significant a contribution to the 130 to 140 pages of amendments so far. I'll quote: "I move that clause 1(3)(e) of the Ontario Water Resources Act, as set out in subsection 2(2) of the bill, as the bill was amended after first reading, be struck out." Again, that would be the clause referring to deemed impairment. I do regret to report that the amendment lost. The government members sitting on that committee voted against it.

1620

It does make me wonder why the government was in such a rush to go ahead with another round of hearings, to go ahead with another round of clause-by-clause



discussion. Why go through clause-by-clause debate when they quite obviously weren't listening and did not intend to listen in the first place? Why were these people invited yesterday? I say that not only because my motion failed to receive support, but the government members didn't bring forward any amendments to the bill themselves despite the morning of hearings.

At the very least there was an expectation that government would address the clearly unconstitutional concept of reverse onus. The member for Halton made mention of that this afternoon. The concept of reverse onus will, if passed, soon require a guilty-until-proven-innocent approach for those accused of a spill event. We introduced motions on this subject during the first round of committee hearings. It does remain a concern and it did remain a concern for a number of organizations that testified yesterday morning.

Why is reverse onus a concern? Perrin Beatty, for one, of the Coalition for a Sustainable Environment, testified during the first round of hearings, and he had this to say:

"Members of the coalition are very concerned about the provisions for reverse onus and absolute liability written into the bill, for they're the very antithesis of due process and civil rights that we as Ontario citizens are guaranteed. We still find," he goes on to say, "these provisions to be offensive to democratic principles, even if they apply only to [environmental penalties]. If it is understood that the imposition of [environmental penalties] will fully take into account both the severity of the damage and the cost of action taken by the company, as in New Jersey, then their application would be less troublesome to us," Perrin Beatty said.

Coalition member Dr. David Surplis, a spokesperson for the coalition, picked up on that theme against yesterday in stating, "The first two areas of concern deal with the same issue: reverse onus. The companies participating in the coalition believe that reverse onus, or 'guilty until proven innocent,' should not apply in situations that can lead to significant fines and even to jail terms. We believe that the customary civil and legal rights should be applied.

"Our first proposed amendment relates to appeal of provincial officers' orders relative to discharges, again, where the reverse onus applies. We believe"—and he gets specific here—"that subclause 145.5(1)(b)(ii) of the Environmental Protection Act and subclause 102.1(1)(b) of the Ontario Water Resources Act should be deleted to give effect to the principle of fair defence."

Yet again, government members, despite being witness to this kind of testimony, failed to make one proposal for a single amendment. They totally failed to come up with anything.

While there has also been a fair amount of fear-mongering and name-calling that has gone on since this bill was introduced, I want to make it clear that stakeholders, the people who testified, feel that their concerns are not so much about penalties or the principle that those organizations or companies that do pollute or do spill should pay. No one argues against the fact that an illegal

polluter should pay to help clean up. That's a motherhood issue. The industry does not argue against that, and neither does any other organization. The PC opposition does not argue against that.

Our Minister of the Environment in the House today and in Thursday's second reading said, "We believe that if the private sector spills, they should pay for its clean-up, not the taxpayers of Ontario." Again, people are in accord with that. She did go on to say, "Obviously, the opposition is in favour of polluters." I don't know where that comes from, and I would ask anyone concerned about that statement to check Hansard. Again, everyone agrees—the opposition agrees—that the polluter pays.

The concern is, when do you pay and under what conditions do you pay? Where is the evidence? Do you merely pay just when government asks you to pay, regardless of any best practices that your organization may have followed, regardless of due diligence or training that you may have taken, the investment, ongoing modernization of your plant and equipment? Do you pay regardless of the impact on the environment or regardless of any scientific measure of the impact on the environment? Do you merely just pay?

My regret continues that the original bill was introduced without any meaningful consultation. It has become divisive. For some, it is seen as being antagonistic; for others, at best, it's a bit of a disappointment. There is regret that there was not an initial gathering around the table, if you will, a search for common ground very early in the game or, at minimum, at any time—say, a year and a half ago, when the spills on the St. Clair River first triggered this initiative and caused the reaction to this proposed legislation—that groups weren't called in to help out with the initial draft of this proposed legislation.

By the same token, there is a call at present—and this was presented by the PC opposition as well—for this government to go forward with regulation once this bill becomes law. There is a call—and this is a very serious call from those who testified yesterday—that they be involved, that they have an opportunity to take a look at the regulation ahead of time. They wish something beyond an EBR posting. They wish a process in the order of full consultation, citizen participation in the decision-making process, to have an opportunity to provide input before the regulations are drafted. They're not interested in having regulations sent over with the statement, "Here they are. What do you think? They're going forward."

I do acknowledge that some stakeholders have indicated to me that they appreciated the efforts of the committee. They did appreciate the opportunity to testify before second reading, and they have made it clear. We heard this yesterday morning that some serious issues do remain. This is not the kind of legislation they envisioned. It's not the kind of bill they thought would come out of the response, the need to have not only a better way to deal with spills after they've happened—and this is obviously the intent of this legislation—but also a better way to prevent spills from happening in the first place, a better way to monitor spills and a better way

to have better systems in place for rapid response and remediation.

1630

With respect to rapid response, in so many communities, firefighters, for example, are trained in rapid response. They are equipped to move in; oftentimes they are the first responders, the first ones on the scene. Again, this is not addressed in this legislation. I don't know whether the boundaries of this legislation would require anything beyond this as far as monitoring and remediation are concerned, and assisting those first responders to better help. There's nothing worse than having a major spill on a native reserve, for example, and then waiting, sometimes forever, for Environment Canada to show up to do something about it.

To my mind, and in my discussions over the last several months, people agree polluters must pay. They're just asking for legislation that would be workable, something that would be doable and in the best interests of everyone, whether they've taken sides on the environmental front or the industrial front, and regrettably that has been something we have seen over the course of this legislation. It has served to divide.

Having said that, all presenters, all stakeholders sincerely want something that works for people in Ontario. That's what people like Dr. David Surplis was hoping for when he presented to the committee. His comments on deemed impairment and reverse onus—I will remind the members present and others in the House who weren't present at the committee hearings that Dr. Surplis made clear his coalition's stance on the bill in stating, "We perceived a number of unintended problems—or what we thought were unintended—in Bill 133, as it was first drafted...."

"We were told that the first effect of the legislation was to allow government to be 'swift afoot' ... in protecting municipalities' water supplies and to ensure rapid action and financial recompense when there is a spill or unauthorized discharge. So to provide that speedy response without waiting for potentially lengthy trials, the ministry chose environmental penalties to serve that purpose." This is something we all know. "Upon passage of this bill, that tool will be available to the ministry and the municipalities and it will be utilized whenever there is a problem.

"Once again," I quote Dr. Surplis, "I would like to say as clearly as I can that the goal of coalition members is no spills or problems. That's where we want to go, and you heard that from Mr. Hodgson too. It was unfortunate, for example, that in the discussion following the release of the SWAT report, emphasis was made on the negative aspects instead of the many, many evidences of progress being made in the Sarnia area. Again, that's past.

"My point is simply this: The government has chosen to address what it sees as a problem in a particular way. The coalition members have not been critical of action being taken; we have been critical of the process in which the action was taken.

"We thought it was unfair, for example, that" environmental penalties "could be served on employees, when it

is the company that controls all aspects of its operations." Now that has been removed and they indicated their pleasure. He went on: "We thought it would be unfair for" environmental penalties "to be issued by field staff," and that has been addressed by the amendment that says that" environmental penalties "are to be issued by a director or someone more senior," although he has a concern that "the bill still says that the director may delegate his responsibilities." He went on to testify, "We believe that" environmental penalties "should be set at levels commensurate with the amount of damage, that payment of environmental penalties should be utilized to offset fines under either the Environmental Penalties Act or the Ontario Water Resources Act, and that the payment of an environmental penalty should not be taken as an admission of guilt."

All of these things were addressed by the committee by amendments, as has been mentioned, put forward by both sides of the House.

Dr. Surplis goes on: "We were alarmed that the value of due diligence was being demeaned and dismissed in the original wording of the bill. The amendment says that actions taken and finances expended by a company can now be recognized in setting the level of environmental penalties."

That helps restore the value of due diligence, which really is the cornerstone of best practices. We know of the good companies in the province of Ontario that do make that investment in plants and equipment to do their best to allay any fears that we may have and, quite honestly, to prevent problems from happening in the first place.

So, as he indicates, "The amendments accepted after first reading have therefore improved this bill. As I said at the outset, we do not accept that Bill 133 was conceived in the most orderly of fashions"—I consider that an understatement—"but it can be improved, and for what's been done already, we thank you."

However, they did go on to testify that morning and did ask for a number of amendments, as I've indicated previously, with respect to deemed impairment. So he made a case for further improvements. Again, as we now know, that was not to be the case. I feel that's unfortunate, because industry came forward; they did ask for amendments.

This legislation is all about large industry, the MISA companies. It focuses on the large industrial sector. It focuses on environmental penalties. It does not focus on smaller firms. That may be of concern to those of us working on source water protection, for example, because it's not only heavy industry that can cause emissions into our air or our waterways or our lakes or on our land.

There's very little focus in this bill on what we, as citizens of the province, can do ourselves. Maybe that doesn't require a law. Maybe that requires nothing more than a pamphlet or a television commercial. There are so many things that we can all do. The onus, the responsibility, does not lie solely on business.



We live in a cold, snowy country, even where I am, down on Lake Erie in the south. Again, we use too much salt in this province. Where does salt go in the spring—even salt that people will use on their own sidewalks? Salt is water soluble. Much of that ends up back in the water table. Granted, millions of years ago, it would have been in the water table in ancient seas. I know that under my farm, under the limestone and the shale, there are the remnants of ancient seas. When we drill gas wells on our land, we pull up salt water. Sometimes there are spills. We're a fairly small operation. I know there's salt in that water; the deer like it. The deer come in by our gas well to access that salty water.

**Household chemicals:** So many of us use household chemicals in our homes. We have to be sure we clean up any spill, obviously, and—just as importantly—ensure adequate disposal. Used oil is an example. Many of us change the oil in our tractors, trucks and cars.

#### 1640

**Paint and other chemicals:** We have to look for options. So many people now use pesticides: insecticides and herbicides, primarily. Part of my income is cash crop. Over the years, we've been so careful when we used herbicides like Roundup. I was actually quite shocked when my wife came home one day—I didn't know this was legal—with a jug of Roundup. She'd bought it in the hardware store. Roundup kills everything. It's probably the equivalent of a majority government in the province of Ontario. As members opposite, there are some days when we feel like we've been hit—this is the farmer in me speaking, I guess—by Roundup.

**Car washing:** For those of us who wash our truck or car at home or on the farm, it's good advice, if you're going to wash your vehicle, to wash it on the lawn. Let the grass benefit from some of that water. If you're in town, you don't want to see that soapy water go down into your storm drain. Where does that end up eventually? Maybe the Thames River, the French River or the Grand River; ultimately, in Lake St. Clair, Lake Erie or Lake Ontario.

**Rainwater:** People living in town should try to hang on to that rainwater off your roof. You're probably not set up to drink water off your roof, as many of us are in rural areas. Many people will construct a depression on their lawn that will capture that rainwater and allow it to permeate slowly into their backyard, rather than washing, say, across the sidewalk and into the storm drain, perhaps carrying with it any residue of the herbicides, pesticides and fungicides that are sometimes used. There's a lot we can do as far as redirecting downspouts toward the garden or lawn rather than into the storm drain.

That came from a brochure published by the University of Minnesota. We have a government that does seem to be hung up, as was mentioned earlier, on fines, penalties and hitting large industry. Where warranted, that is fine, but there's an awful lot that we can do. Why would Minnesota put out a brochure like that? The state of Minnesota has the headwaters of the Mississippi. Like everyone—people in Minnesota, people in Ontario—

virtually all of us live in a watershed of one kind or another. The Mississippi itself receives water from Minnesota. It receives water from 29 other states.

Much of our debate in this Legislature has been concerned with the four million people who are due to arrive in the Toronto area, the Niagara area and the greater Golden Horseshoe area in the next 30 years. What does that mean? That means more paving of land and more landfills, especially if government becomes a recipient of Toronto garbage again, if it's turned back at the Michigan border.

Much of our environment is now covered by asphalt, concrete, concrete structures and agricultural tiling. I mentioned storm drains. Again, the purpose of tile drains is to move water quickly away from where it is. We see the same effect with the very large asphalt parking lots at malls. Many parking lots now—I've noticed this in the United States—will intentionally pool the asphalt so that after a rain the water sits in pools, and eventually, when the sun comes out, it goes back into the water table rather than flowing into a nearby ditch or stream and ultimately into the groundwater or into larger bodies of water.

I mentioned Minnesota as being one of the states, the headwaters of the Mississippi. Something that many of us think, when we think about the Mississippi, is some of the severe areas of pollution in the Mississippi, again a mighty river that goes through agricultural states, urbanized states, the recipient of that lawn runoff that I was referring to, but also urban and agricultural runoff:

- phosphates, for example, not only from fertilizer but from home detergent;

- phosphates from industry;

- excessive nitrogen from lawn fertilizers, from agriculture;

- petroleum products primarily from industrial spills, perhaps those small garages or gas stations that are not following due diligence;

- petroleum runoff from highways;

- improper disposal of pesticides and herbicides, and much of that can come from landscaping;

- illegal dumping of trash and debris. Again, much of that residue would run off from the leachate.

There is one stretch of the Mississippi, an 80-mile span, that's referred to as Cancer Alley. That's one step up from Chemical Valley.

**Mr. Chudleigh:** Where is that?

**Mr. Barrett:** Where is it? It's a stretch between Baton Rouge and New Orleans. There are 140 chemical companies that line the banks of the river. Industrial pollution, however, is only one source of contamination. This is the point I'm trying to make. Obviously, there has been an awful lot of monitoring of that stretch of the Mississippi. They make reference to "fuel leaks, toxic spills, topsoil runoff, herbicides, sewage, and trash piles" that first of all contaminate that stretch and continue to reduce the capacity of that river to cleanse itself, and again the reference to the decimation of plant life along the Mississippi, the wetlands in particular. That kind of

loss robs the environment of plants, animals and birds by simply eliminating that kind of habitat.

There are answers. There are solutions. There have been some excellent ideas put forward, in part as a response to some of these tragic occurrences on the Mississippi. There have been so many spills on the Ohio River. There was a recent spill on the Delaware River, and more recently, in the last year and a half, on the St. Clair River.

**Mr. Chudleigh:** The first one in 10 years.

**Mr. Barrett:** Yes. That followed a period of decline, certainly, in numbers of spills.

However, there are answers out there. So much work has been done. Although the ministry initiated a spills prevention strategy in 1990 and the contemplated pollution prevention legislation—that would have been in the mid-1990s—neither of those ideas really came forward in current regulatory structures. It appeared that there was no regulatory requirement for pollution prevention or spill prevention under Ontario environmental legislation.

**1650**

This came from Dr. Isobel Heathcote, co-lead of the government's own committee task force, the IPAT group, the industrial prevention action team. They put together an excellent piece of work, and what they reported was that, generally speaking, they found no preventive regulatory framework at all. Instead, existing systems appear almost entirely reactive rather than preventive.

I know the member for Cambridge, in his brief remarks this afternoon, made reference to the reactive approach that we take with respect to issues environmental. I refer to it as old school. I do accuse this government as kicking back old school, if you will, relying on the almost Stalinistic command-and-control approaches—heavy fines, heavy penalties—with no thought to where some of these problems come forward.

In Dr. Heathcote's report, "We found no mention of required pollution prevention plans, nor of positive incentives to go beyond compliance levels. Rather, our perception was of a system heavily focused on punishing offenders, rather than supporting and rewarding companies with excellent compliance records and those that attempt environmentally protective innovations."

So even before this environmental penalties bill, we have a body of opinion, a report that was published a year ago, I guess, that indicated that this approach at present in government has no positive incentives and in fact is already punitive, an existing punitive approach. If this legislation passes, it will compound the punitive approach to spills and, by extension, other issues environmental.

Now, in that report—and I know the member for Halton made reference to this just now—they do observe the significant decrease in the number of spills to water reported in the St. Clair River from 1986 to 2003. That has changed quite recently. Both the ministry and industry representatives had presented information to the IPAT group that indicated that this downward trend in spills in the St. Clair River resulted primarily from the

introduction of the MISA regulations, the clean water regulations, in the 1990s.

The committee was also advised that some of the recent spills were caused by overflows from storm water. I made mention of that problem. When you have a heavy storm, existing sewage facilities cannot handle this. We're talking municipal facilities here; we're not talking about large oil refineries or chemical plants.

Again, consider the source. If you have a problem with storm water—a storm this time of year, say, when people are spraying their lawns with, as I mentioned, herbicides and insecticides—the system can't handle it. In this town, it goes right into Lake Ontario. Those of us sitting here in the Legislative Assembly, if we have a drink of water, are having a drink of Lake Ontario, as I understand. I don't think it's trucked in from up north or somewhere. I would say most people living in Toronto drink from Lake Ontario. This summer, I predict, people in Toronto will probably not be allowed to swim in Lake Ontario, but they do drink the water.

This storm water concern was red-flagged by the ministers and by the government's own expert committee. This is something that people in the farm community have queried. Why would they be subject to what they consider to be very stringent regulations with respect to nutrient management when their city cousins are allowed to do this and that, are allowed to operate in a system where the municipality's sewage system can't handle storm water and it washes through into, obviously, the nearest body of water?

The committee was "concerned that an existing provision for storm water management plans under clean water regulations may not in fact be adequate to control spills related to storm water containment and release."

They went on to say, "We suspect that existing plans and associated engineering designs are based primarily on routine rather than extreme meteorological conditions." Again, that 25-year storm, that 100-year storm.

They made a recommendation in the IPAT report: "Recommendation 4: We recommend that the ministry investigate the current status of storm water management planning under the clean water regulations to ensure that existing plans are adequate to address current and projected extreme events under climate change scenarios."

They presented a number of findings in their report. They delved into the whole cost-benefit, risk analysis issue, something I feel is not reflected in this current legislation.

I would like to quote Dr. Heathcote's report: "Although we believe that pollution prevention and spills prevention should be central to Ontario's environmental management framework,"—I stress that word "central"—"we acknowledge that it may take some time to achieve those goals. In the meantime, the ministry's approvals, inspection and enforcement functions will continue to be critical in anticipating and reacting to pollution events."

I wish to go on. Near the beginning of their report to this government, they present a bit of an historical scenario:



"The current Ontario system is rooted in public health legislation of the 19th century, a time when inspectors could limit their focus to a handful of environmental parameters. Today, tens of thousands of chemicals are in routine production and use, and our knowledge of the toxic properties of physical, chemical and biological pollutants is far greater than it was 100 years ago. We are, in other words, now in a position to differentiate our environmental management strategies depending on the human and ecosystem health risks of specific parameters and processes. Yet we saw no evidence of a comprehensive 'risk-based' approach in Ontario environmental legislation, approvals or enforcement. Indeed, the ongoing spill management problem in the St. Clair River region suggests that there are significant gaps in the province's current framework for environmental protection. These gaps include an absence of risk-based approaches in many aspects of target-setting, approvals and enforcement. We wonder if the time has come to consider a more comprehensive risk-based approach.

"By 'risk-based,' we mean a comprehensive system addressing all major factors that affect the probability of adverse impacts on human or ecosystem health. Such a system"—it gets a little technical here—"should be receptor-, chemical-, and environmental medium-specific."

They go on to say, "In our view, human health protection should take precedence over ecosystem protection, and therefore decisions about acceptable risk must involve affected communities. In cases where the objective for protection of aquatic life is more stringent than that for human health, the more stringent requirement should be the rule. We reject the notion that economic achievability should be a component of risk assessment.

1700

"We believe that a more focused, strategic approach is possible, and that it would be possible to differentiate spill prevention, response and mitigation requirements based on the nature of the materials in use and the nature of the receiving environment. Many jurisdictions elsewhere in the world (the European Union is one example) have adopted prioritized lists of pollutants, and have used those lists as a basis for developing differential pollution prevention, spills prevention, spills contingency, mitigation and notification requirements."

In my humble opinion, that is what many of the presenters yesterday at the witness table were trying to get across to this government in their plea for consideration of this concept of deemed impairment and the fact that not all pollutants should be considered equal and not all pollutants cause an equal amount of damage to the water.

Just to wrap up, I spoke on this bill—it seems it was just a few days ago—about the fact that this is being rushed through.

**Mr. Chudleigh:** What's the rush?

**Mr. Barrett:** Yes, what's the rush? This is very important.

I made mention of a report that came out of Sweden. I think I had an opportunity to mention it last week at the end of my hour, before I was cut off. The title is Financial Incentives to Improve Environmental Performance. This report indicated that there are three main forms of environmental incentive. These are the carrots, if you will, to encourage companies, perhaps those smaller firms, the start-up companies that are trying to do their best. They're trying to meet payroll and maybe they realize it's going to be three, four or five years in before they make a profit.

The environmental incentives utilized by European governments comprise grants, soft loans—these are loans offered at below-market rates of interest or with repayment holidays—and, thirdly, tax concessions. The grants tend to dominate in Europe, particularly to fund new environmental technology. They account for 60% of the assistance, soft loans comprise 30% of the assistance to those companies who do wish to do their part and depreciation allowances account for the remaining 10%. I think this is a direction that should be explored further.

I suspect my hour is up. I thank you for your attention.

**The Acting Speaker:** Questions and comments?

**Mr. Rosario Marchese (Trinity-Spadina):** I just want to say that the member for Haldimand-Norfolk-Brant delivered a great speech for a whole hour. That was impressive. I want to say for the record that I like the member from Haldimand-Norfolk-Brant but that New Democrats disagree with the approach that the Conservative Party has taken in their response to this bill. I'll speak to that in about eight minutes.

**Mr. Michael A. Brown (Algoma-Manitoulin):** I too was quite enthralled with the one-hour speech by the member of the official opposition, but I think we should refresh the House's memory as to what we're really talking about today, and that's Bill 133, which is the government's first step to act on a report that was delivered by the Industrial Pollution Action Team in 2004.

The team's report made it clear that Ontario's legal approach to industrial spills does little to prevent spills from happening.

In response, the government has proposed a tough set of environmental penalties. If passed, Bill 133 will promptly impose a financial penalty on an industrial facility that spills, and direct the proceeds to the community affected to help it recover its expenses.

If passed, Bill 133 would not deny an industrial facility that spills a hearing before the Environmental Review Tribunal. It would not apply to municipalities, farms or small businesses. It would apply only to facilities regulated by the municipal-industrial strategy for abatement, known as MISA. MISA-regulated facilities reported to the ministry 84% of the volume spilled across the province in 2003 and 98% of the spills that occurred in this province in 2004.

Similar penalties to what we are suggesting are in place in every US state, Mexico, Australia, nine European countries and even Alberta.

Every Ontarian deserves the right to live in a community that isn't constantly threatened by industrial spills.

**Mr. Martiniuk:** I appreciate the opportunity to comment on Bill 133 once again. Sometimes I get concerned that things get a little complex, especially for the smaller citizen as compared to the large corporations. Sometimes these laws seem to apply to large companies, large corporations, and not to the ordinary individual.

I had a friend and a client who owned a small residential and commercial property and there was a laneway in back. Somehow somebody dumped, if I remember, about 35 tires on their property, blocking the back laneway. So I suggested that the person phone the police. They phoned me back and said, "Yes, we phoned the police and the police said this is definitely a crime, but when we asked, 'What would we do with the tires?' they suggested we phone the building department." So they phoned the building department and they were told that this was definitely a crime—this should not have been dumped on their property—but now that it had, they were responsible for it, even though it had been dumped there illegally. When they asked, "Do you think we should put the tires out on the sidewalk for the garbage pickup?" they said, "No, that would be illegal. Even though these are not your tires, and even though you did not give permission for these tires to be put on the property, it is now your problem. And if you don't clean the problem up, we will be serving you with a summons."

That's what I mean about a law getting a little complex, especially where the law is not being proactive but is merely reactive.

**Mrs. Carol Mitchell (Huron-Bruce):** I'm certainly pleased to enter the discussion on Bill 133, and I rise today to support Bill 133.

I want to thank the member from Haldimand-Norfolk-Brant for his extensive discussion on Bill 133. One of the things that I do want to clarify is that during the public hearings on Bill 133 our government heard from a balance of stakeholders. We believed that the bill could be strengthened, and a number of amendments were brought forward. I want to clarify: Our government listened. Your government, people of Ontario, listened: What could we do to strengthen this bill? I want to draw to the attention of the people of Ontario a couple of points that were raised, certainly concerns from my riding of Huron-Bruce, and I want to just clarify them.

The environmental penalty shall only be imposed against a company and not company officials or company employees. This was one of the concerns that was raised from my riding, so I do want to clarify that. That is an amendment that is going forward with Bill 133.

Another concern from Huron-Bruce was, a company that receives an environmental penalty will not have that penalty taken as admission of guilt in a subsequent prosecution. That was another concern raised within Huron-Bruce. So I raise this and I rise to support Bill 133. I look forward to further debate from the members in this House.

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**The Acting Speaker:** That concludes the time for questions and comments. I'll return to the member for Haldimand-Norfolk-Brant. You have two minutes to reply if you choose.

**Mr. Barrett:** I appreciate the comments from members.

The member for Trinity-Spadina was thrown into the fray at the 11th hour, and I did value his contributions on committee.

The member for Algoma-Manitoulin made mention of the municipal sector and the farm sector, sectors that are not covered by this bill. I really feel it is incumbent on the government member and his government to heed the advice from municipalities, to heed the advice from the farm community; for example, with respect to storm water overflows, the situation where the infrastructure there cannot handle those heavy rainfalls and all and sundry washes through the storm drain and right into the creek or the river or into the lake.

The member for Cambridge made mention—as a lawyer, he knows—of the fact that the law is complex. This is a complex piece of legislation. It's grown from something like 40 pages to 60 pages. It's not an original piece of legislation. I guess the only new bill from the Liberals would be the Adams mine act, at any stage in the history of the Liberal government in the province of Ontario. But we have legislation that on the one hand is complex, and on the other hand takes a very simplistic approach of focusing on penalties as an answer to attempting to improve two very complex pieces of legislation: the Environmental Protection Act and the Ontario Water Resources Act. It's now become more complex.

**The Acting Speaker:** Further debate?

**Mr. Marchese:** Thank you, Speaker. I welcome the—it feels so cold in this place; I'm trying to warm it up a little bit. I welcome the citizens of Ontario to this parliamentary channel. It's 5:13 or 5:14, June 6, Tuesday afternoon. We're on live.

*Interjections.*

**Mr. Marchese:** You see how time flies? It's unbelievable. Tempus fugit. It's unbelievable: June 7.

**Interjection:** Carpe Diem.

**Mr. Marchese:** That's a different word for a different thought.

I want to say, to help the citizens understand what has gone on around here, that I have replaced briefly the member from Toronto-Danforth, who was our critic for environmental issues. She was dealing with adoption issues, so I had to fill in. I am not the critic for this issue, and so I will do my best to fill in.

Secondly, I have nothing but praise for the member for Perth-Middlesex, who was the parliamentary assistant. The minister should be proud of him. I think he did a great job: personable, likable, flexible, the best type of parliamentary assistant that you could ever have in a committee. Why, they even gave in to the NDP on a couple of issues. It amazed me. It amazed me that the



Liberals could be so flexible and gave away a couple of crumbs every now and then. It makes you feel good as a New Democrat that from time to time the governing party, through the parliamentary assistant, listened to what we had to say, right? I even suspect he didn't have to go to the centre, to the Premier's office, where they are in charge. I suspect he didn't even have to go there to get the approval to accept two New Democratic amendments—they claim four or five, but two were really serious in nature. So we've got to praise the member from Perth—Middlesex for that, I think. I wanted to say that for the record.

I also want to say for the record that the member from Perth—Middlesex argued in the committee that we should repeat the process that has been used with this bill with other bills, because he felt it was a good model to pursue. I want to tell you that I disagree with you, because I think it didn't work out as well as he claims or as well as the government thinks it worked.

I want to briefly talk about the process, because I think it was a bit awkward, a little bit circuitous, convoluted perhaps, confusing to some—at least to me. I thought, “Hmm, do they know what they're doing?” And it's possible they did; I don't really know. But you will remember that the Premier stated at some point in the year 2004, “The proposed legislation would also hold corporate officers and directors more accountable. A conviction could result in sentences ranging from fines against a company to up to five years of jail time for its directors and officers.” We expected that the Premier, making such a statement, would deliver on that bill quickly. Yet this bill was held in abeyance for about six months, put aside, in the closet somewhere, held there by the centre, the Premier's office, where the real power lies.

I've got to tell you, as much as the MPPs resent it, you've just got to accept the fact that the centre has a lot of power, and it's true they're not elected and it's true they make double our salary. I've got to tell you, these guys make double our salary, and they dictate for the governing party what you do, how you do it and when you do it. I know it's tough for you, but you've got to accept that, because it's a brain trust; that's where it's at.

So for six months the brain trust around the Premier held that bill, suspended there for six months. So given the importance the Premier had given it, I said to myself, “Now, why would you hold it back, put it away somewhere under the carpet for six months?” If you're proud of the bill—you spill, you pay—you say, “Man, I'm going to go after those companies as quickly as I can.” So I couldn't quite understand the brain trust, those who get paid double the salary of MPPs, holding this bill back, because if you're proud of the bill, you want to move as quickly as you can.

Then all of a sudden, lo and behold, the minister decides we're going to bring this bill forward and it won't be debated for second reading; we're going to send it to committee for hearings, no less, and consultations, they argued. I find that process a bit unusual. Why do I find it unusual? Because normally the government intro-

duces this bill after a great deal of consultation with friends and foes—the friends being the environmental groups and other Liberals within that world that felt we needed to move on this particular issue, and the foes being mostly the MISA group, the municipal-industrial strategy for abatement group, that involves, what, approximately 140 corporations, the big chiefs in the world of pollution—industry and, yes, pollution. You see, these are the biggest polluters in the province, if not the country, but in the province at least. And it includes mining companies, it includes forestry, it includes pulp and paper—

**Mr. Wilkinson:** Petrochemicals.

**Mr. Marchese:** —petrochemicals in particular. These are the biggest polluters. And we're happy that they've gone out to this particular group. So yes, before you introduce a bill, you go to your friends, and you've got to go to your foes, because there are a whole lot of friends that the Liberals have with these corporations, and I'm sure they went to them before bringing the bill forward. You say, “OK, here is the product of our consultations with friends and foes,” you bring it here for first reading, and then you have second reading debate. It gives the opposition parties and the government party an opportunity to say what they want to say: you Liberals to defend your bill and the opposition parties to say whatever we want to say. The Tories say, “We're against it.” The New Democrats say, “You're not going far enough,” which is usually what we would say around these particular issues. After that debate, you then send the bill to committee, where you, having presented the bill to this Legislature and debated, go back for consultations with the folks again, make your amendments on the basis of what you heard and introduce it back in this Legislature for third and final reading.

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What this government did was go to second reading, debate in committee, where the minister comes and proposes changes, tells you in advance, “We're going to make amendments. We didn't have the language,” but she tells you, “We're going to make amendments.” Neither of the two political parties in opposition knows what those amendments are or would be, but she announced that there would be changes. Normally, the minister never announces that there would be changes until you hear what the people you consult have to say. Normally, most government bills hardly get changed except for some technical stuff. Normally, the government doesn't listen to the opposition. Generally that's what happens, except that in this case the Liberals gave in a little bit to the New Democrats and a little bit to the Tories as they lobbied for the corporate sector.

**Mr. Dave Levac (Brant):** A new way of doing things.

**Mr. Marchese:** It's beautifully Liberal; it's so wonderful. You take a couple of ideas from here, you take a couple of ideas from there and then it's a beautiful dance, right? You play with all the political parties and you've got the perfect match; it's beautiful. I just love the way Liberals do that.

I don't recommend that particular process because the usual practice of having second reading debate works here. Then you send it off for hearings; then you bring it back. As it was, we sent it back for second reading, they moved amendments, we debated this particular bill last Monday—we did the clause-by-clause last Monday—then it came to the House for debate last Thursday and it got sent back for third reading, again with consultations. We invited the environmental groups and the MISA group to come and comment on the bill again. You just don't do that. The environmental groups came to the committee and said, "Now, boys, you made some changes and we don't like them." Some environmental groups said, "This is bad." Others said, "Well, it's not that good, but don't make any more changes; otherwise, we're going to beat up on you and we might just abandon our support for the bill."

**Mr. Brown:** You're not on camera.

**Mr. Marchese:** Mike Brown, do you want to come and sit here? That's OK with me.

**Mr. Brown:** I just want you to be on camera.

**Mr. Marchese:** No, no, but I want to be close to the rump. Is that OK with you? If it's OK—Speaker? If you want to come over, please.

We sent it back for third reading debate, invited the same groups to come and say the same things. What a pointless thing. So I thought, "Are we going to get amendments to this particular bill? And there were no government amendments. What's the game?"

**Mr. Wilkinson:** There's no game.

**Mr. Marchese:** There's no game?

**Mr. Wilkinson:** They asked to be there to speak again after the amendments.

**Mr. Marchese:** They asked to be there to speak again to the very amendments they had spoken to, more or less, because they all knew what probably was going to be in the bill by way of amendments. I have to tell you, there's a whole lobby. These guys have got the papaya, they've got the pecunia, they've got the power. Man, did they go after the centre on this. The brain trust must have been swollen by the pressure and the beating they were getting from the people who have the papaya, the pecunia, the power in their hands. I don't know who the brain trust is in that Liberal caucus, but they must have gotten a beating—a serious one, I suspect.

I know that the member from Perth—Middlesex was holding firm. I know that, but I don't know about the brain trust. We have Warren Kinsella coming, representing the—they're called the Coalition for a Sustainable Environment. I thought, "This is great news: Somebody represents the environmental groups." This is Kinsella, representing the people with the papaya. He's a Liberal. I know he is in and out of various groups because he represents different factions, and some people like him, some people don't like him. But he's a Liberal.

**Mr. Wilkinson:** He's John Tory's chauffeur now.

**Mr. Marchese:** Did he chauffeur—I can't say that; all that stuff is private.

I thought, "Well, after Warren Kinsella came beating up on the brain trust, man, did this bill come before us in no time." It was sitting there for six months because I suspect the Liberals didn't quite know what to do, because Warren Kinsella and his coalition—the environmental sustainability group—must have been putting so much pressure, and they didn't know quite what to do: "What do we do? Are we going to give in to this group, or are we going to say to the environmental groups, 'No, we're with you.'" What to do? In the end, they said, "OK, we've got to keep the support of the environmental groups on our side. We need them." But then they said, "What kind of changes can we introduce so that we've got the papaya group on our side?"

**Interjection:** Papaya?

**Mr. Marchese:** That's the corporate group, the group with the pecunia. "Papaya" is such a beautiful word. It's such a beautiful fruit, and it's healthy for you too.

Liberals were so confused about what to do. How torn they must have been. How torn you must have been.

**Interjection:** I was firm.

**Mr. Marchese:** I know you were firm—that's why I praised from you the beginning—but I know that others didn't quite know what to do, because these people have a whole lot of influence and power. They give a lot of money for a lot of campaigns, and they influence a lot of workers in a lot of those industries in all those communities. I know you had to be worried about it. So the government gave in to Kinsella a little bit, and not too much, so as to be able to hold that centre, pleasing the right and pleasing the left to the extent that they can say, "This is not a bad bill."

In the end, the NDP has to say that we're glad to finally have an opportunity, in spite of the circuitous route this has taken, to speak to this bill, to pass it eventually—hopefully today—and move on, because it's better than what we wanted. It's not as good as what we would have liked, but it at least makes progress on issues of the protection of the environment such that even Marchese can live with it. Others might not, but even I can live with the changes that are being made in this bill.

I want to say that the government accepted two amendments. The first of these two amendments provides for the issuing of an annual report on March 31 of each year, which will document each environmental penalty:

"1. The name of the person against whom the order was made.

"2. The amount of the penalty.

"3. A description of the contravention."

If a settlement agreement between the government and responsible party "was entered into, the effect of the agreement on the obligation to pay the penalty or the amount of the penalty."

We think this is a good thing to put in a bill so that people know, and it gives all of us the transparency we're looking for in terms of the problems of spills and offences. We viewed this amendment as necessary to pull all the information together, for purposes of evaluating the performance of environmental penalties over time.



In effect, this amendment was envisioned as a means of providing the baseline data for a five-year review of environmental penalties, which forms the basis of the second NDP amendment, which the government also adopted in its entirety. We proposed that once every five years, the performance of this instrument for preventing spills and its application and administration by the Ministry of the Environment be evaluated. Most importantly, our provision for a five-year review will provide an analysis of the effect, if any, that the use of environmental penalties would have on the number and nature of prosecutions by the Ministry of the Environment under the act. We want to know, for example, that the environmental penalty provisions would be used in place of persecutions instead of as a complement. If that were to happen, we want to know whether that is the case.

**Mr. Wilkinson:** Prosecutions, not persecutions.

**Mr. Marchese:** Prosecutions. The member for Perth-Middlesex made a useful correction. I said "persecutions," but it should be "prosecutions." Thank you.

In short, a five-year review would provide a mechanism to ensure that environmental penalties will meet the objectives.

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We feel those two areas of amendments that we made strengthen this bill. We were very pleased that the government accepted those two particular amendments and others that the government members might speak to, if they have an opportunity. They didn't just listen to us; they listened to others as well. It's unfortunate that some amendments were made to Bill 133 that, in my view, will weaken various provisions and reduce its ability to protect the environment. The government might think differently, but I believe some of these changes will weaken the bill a little bit.

One of the things that concerned me most was the incredible industry lobby that I mentioned earlier and its ability to get some concessions from the government, some of which are technical, yes, but do have implications for environmental protection in the province.

Most surprising perhaps is that this is not really pollution prevention legislation, although it does now include provisions requiring companies to develop spill prevention plans, even though it doesn't detail what these plans should be. While that is good, it's not really, in my view, pollution prevention legislation. That would have made for a better bill, and it would have certainly gotten New Democrats to say much more eagerly, "Now we're moving in the direction that we should."

Bill 133 allows companies to continue using as much and as many pollutants as long as they want, as long as they don't spill them into the environment. So Bill 133 falls under the old pollution control paradigm, we argue. We attempted to amend the bill to allow directors to require companies to produce pollution prevention plans aimed not just at preventing or reducing the discharge of a contaminant into the natural environment, but also eliminating the use or production of contaminants in the first place, and the government voted that down.

I really do believe that eliminating the use of production of contaminants in the first place would be the better thing to do, the ideal thing to do. We know the effects of pollutants on our physiology. It is my suspicion—and many doctors probably corroborate it—that a lot of these pollutants are causing a great deal of physiological damage. Nobody wants to speak about this particular issue, but we know that it's spoken to in some circles. The majority of people do not know that pollutants are harming not just the environment, but they are directly harming our bodies in more ways than we can describe. So that would have been the better thing to have done, but clearly, I don't think the brain trust—not to attack the member from Perth-Middlesex—wanted to go this far. The brain trust is the centre. That's the Premier's office. That's where the power lies. That's where people with double the salaries of MPPs are. That's where they determine what policies or amendments are accepted or rejected.

**Mr. Bruce Crozier (Essex):** It's the same as when the NDP were there.

**Mr. Marchese:** No problemo. I've argued that in the past. When Mr. Bradley used to say, "Look, you've got the whiz kids controlling the Conservative caucus," I would say, "Jim, please, it's going to happen if you guys get elected. It happened when you were there with Peterson, and it happened under the Rae government." The brain trust exists in every government. These guys are paid well. They're not elected and they determine public policy, for the most part. So they determined that to accept an amendment that says eliminating the use or production of contaminants in the first place would be the better thing. They determined, "No, we can't allow that amendment to go through." Not that day. Perhaps when we change the brain trust it might happen, but as long as the current brain trust remains in its place, we are not going to eliminate the production of contaminants at source today.

It was also suggested that the government move toward a stronger pollution prevention paradigm in the final report of the minister's Industrial Pollution Action Team, where they say: "We recommend that the ministry pursue the development of regulatory requirements for pollution prevention, either through stand-alone legislation or by amending the Ontario Environmental Protection Act to extend the authority to write regulations that apply to all stages of a product or substance life cycle." That was a recommendation made by the minister's Industrial Pollution Action Team and they refused to accept that proposal. We think this is the better direction to move in, but the brain trust is not ready at this time to accept those recommendations.

**Mr. Peter Kormos (Niagara Centre):** Why not?

**Mr. Marchese:** Because the brain trust, those who earn \$160,000 or so, double the salaries of MPPs—

**Mr. Kormos:** And pensions, of course.

**Mr. Marchese:** —and pension to boot, unlike the members of this assembly—determined, "No, pollution prevention is not where we want to go today." So I say,

you've got to get rid of these whiz-kid types. Maybe if we paid them \$80,000 or \$85,000 we'd get better decisions.

**Mr. Kormos:** Where I come from, that's a lot of money.

**Mr. Marchese:** OK, so let's say \$75,000.

**Mr. Kormos:** Where I come from, that's still a lot of money. A whole lot of folks work really hard for half that.

**Mr. Marchese:** It's still a lot of money? What if we paid the whiz kids \$60,000 or \$65,000? I suspect the decisions would probably be more reflective of the general population out there. But if you overpay the whiz kids, the brain trust, the kind of money they get, \$160,000 or so—I'm telling you, you get the wrong decision. These guys make more than the Premier and they don't have to stand up in this Legislature, having to face Mr. Tory and Mr. Howard Hampton day in and day out, getting hammered by the opposition parties. These guys make more than the Premier. I've got to tell you, you've got to change the policies around here. You've got to pay these people less and we'll get better decisions. That's my view; I could be wrong.

**Mr. Kormos:** So if they pay us less, will we make better decisions?

**Mr. Marchese:** Now, Kormos has to speak on his own in this regard, because I'm not sure that he's reflecting my opinions in this regard.

**Mr. Kormos:** I'm just extending your logic.

**Mr. Marchese:** I know, but you'll have to extend that logic when it's your turn, right?

Besides, we argue, not moving far enough toward pollution prevention, Bill 133 also doesn't lower standards for lead emissions to air—something the recent Commission for Environmental Cooperation report, Taking Stock, revealed we so desperately need—or set lower emission standards for sulphur dioxide, another air emission for which Ontario is continentally infamous. This legislation does not modernize MISA. Now remember, MISA—these acronyms can really tire you out—means the municipal-industrial strategy for abatement. That's 140, 144 or so companies with a whole lot of power. These are the people who are responsible for the worst kind of pollution that we've ever faced here in Ontario. The legislation does not modernize the MISA effluent standards, which are now over 10 years old and in need of updating. It doesn't do any of this, yet industrial polluters had so much difficulty with it. You wonder. It doesn't do any of the things that I talked about. And these big polluters had so many problems with the bill, like you could never please these guys. You could never really please them. I think strengthening spill prevention is important, but the government is going to need to find some backbone, spine, fortitude, if it's going to tackle the province's polluters over many of the serious deficiencies in our environmental regulatory framework and our environmental regulatory standards.

1740

Let me touch on a couple of the more problematic government changes that have been made. One of the

best deterrents to companies spilling is to make high-level decision-makers responsible for ensuring spills don't happen. The government's initial version of the bill required corporate directors and officers to take all reasonable steps to prevent any contraventions of the Environmental Protection Act or the Ontario Water Resources Act. This has been watered down, I say, so that now it is the corporations, not the directors and officers directly, that are responsible for the spills. So the corporation is made responsible for the problem, not the directors.

Originally, it had employees. In my view, I separate employees. The little working guy who's doing his job is different from the director and/or officer. I was happy to get rid of the liability that would be placed on the employee, but I felt that making directors and officers liable was a good thing, because they are directly involved in the decision-making of the spills. So the government, in getting beaten up by Warren Kinsella, and the brain trust getting bruised and beaten so much, said, "OK, we've got to get rid of this. We'll give in a little bit and we'll make the corporation liable and not the director and/or the officers." So they did that. They might have an opportunity to debate why they did this. I don't know. We'll see. If they have time, I'm sure they'll do their best to defend their own changes.

In various places in the new amended Bill 133, the government has moved away from their initial use of the lower threshold for determining adverse effects to the natural environment constituted by the term "may," to the higher threshold for proving environmental harm denoted by the term "likely." These are very difficult things for people to understand, but "likely"—

**Mr. Kormos:** It's a much higher test.

**Mr. Marchese:** It is a higher test. "May" is a lower test. "Likely" is more difficult to prove. "May" is easier to prove. So Warren Kinsella, God bless his soul, gets paid the big papaya to go and beat up on the brain trust, and they were able to squeeze some concessions out of the brain trust. They did. They made it legally more difficult to go after the polluters through the change in the language.

This change affects various types of director orders issued under the Environmental Protection Act and the Ontario Water Resources Act. Control orders, stop orders and remedial orders issued by the director under the Environmental Protection Act will be harder for the directors to secure than would have been the case had the government not made their amendments. This has the effect of making it more difficult for the Minister of the Environment, directors, to require companies to install technology for the prevention of pollution. In my view, these changes are significant because the government has chosen pollution control over pollution prevention, and to reduce the environmental protection that had originally been intended for this bill.

So the argument I make around the issue of the language "may" and "likely": The difference in threshold represented by the "likely" and "may" distinction is very



significant from a legal standpoint—just to repeat it because I know it's complicated for people to understand—because it is much easier to get an expert to state that there is the potential for harm than it is to get an expert to state that there is the likelihood of harm, or in other words, that the balance of probabilities points toward the contaminant producing adverse effects to the natural environment. Legal stuff, legal language.

In my view and the view of New Democrats, this has been watered down in a way that doesn't give the protection of the environment we were looking for.

**Mr. Kormos:** Diluted it.

**Mr. Marchese:** It dilutes the language they originally had in the bill.

"Bill 133 is a first step." This is what we heard during the committee hearings from communities affected by spills, environmental groups alike. Unfortunately, in the end, the government made concessions to the industry lobby that weakened the bill. It could have been a better bill. We appreciate that they accepted some of our amendments; I do appreciate that. It doesn't happen all that often, so when they do, you've got to say they did it, and it could be, as I argued, that the member from Perth-Middlesex went above the centre and said, "Yes, we can deal with this." He was so good to do it.

**Mr. Kormos:** In that case he'll never be in cabinet.

**Mr. Marchese:** But, you know, he's co-operative and it's his way of saying, "If I get to the centre or close to the centre, I can work with the opposition." No, it's really very good.

Speaker, I think we are running out of time, but I've got two or three minutes to say that the increased enforcement of the existing regulatory framework and the increased funding for the Ministry of the Environment to carry out its mandate are good things to do, except that they flatlined the Ministry of the Environment. "Flatline" means no money for the ministry, zero growth, zero extra money. When we're talking about increased enforcement, yes, it would be good and, yes, it needs to happen, but when you flatline the Ministry of the Environment and no extra money is going to come in, what it means is that you're not going to be able to get the kind of enforcement you're looking for because the money isn't there. I wonder whether the Minister of the Environment is worried about this. I know that the member from Perth-Middlesex is worried about that. I know the brain trust isn't. I know the member for Perth is, and I hope that the one-year review, the annual review, and the five-year review will give us the transparency we're looking for. Thank you for that, member from Perth-Middlesex.

I move adjournment of the debate.

**The Acting Speaker:** The member for Trinity-Spadina has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

I see the Minister of Community and Social Services standing. Is it on a point of order?

**Hon. Sandra Papatello (Minister of Community and Social Services, minister responsible for women's issues):** Yes. On a point of order, Mr. Speaker: I seek unanimous consent for the House to sit beyond 6 p.m. for

the purpose of considering the motion for third reading of Bill 164, following which the Speaker shall adjourn the House until 1:30 tomorrow.

**The Acting Speaker:** There is no unanimous consent, I gather, but the minister has called order G164.

## TOBACCO CONTROL STATUTE LAW AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA RÉGLEMENTATION DE L'USAGE DU TABAC

Resuming the debate adjourned on May 31, 2005, on the motion for third reading of Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

**The Acting Speaker (Mr. Ted Arnott):** Further debate on the bill?

**Mr. John R. Baird (Nepean-Carleton):** I regret I will not be able to attend the vote tomorrow on this bill.

**The Acting Speaker:** I'm sorry. Had you already spoken to this bill?

**Mr. Baird:** On third reading?

**The Acting Speaker:** —on this bill again. Apparently, I'm advised, you've already spoken to it.

**Mr. Baird:** On a point of order, Mr. Speaker: I would like to go on the record that if I were able to be here for the vote tomorrow—I have an event in Ottawa—I would like my vote to reflect no.

**The Acting Speaker:** I don't think that was a point of order the last time I checked.

Further debate? No.

Mr. Fonseca has moved third reading of Bill 164. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

I wish to inform the House that I have received a notice from the chief government whip that pursuant to standing order 28(h), he is requesting that the vote on Bill 164 be deferred until Wednesday, June 8, at the time of deferred votes.

**Mr. Baird:** On a point of order, Mr. Speaker: I'd like to compliment the government and the NDP for trying to work with the official opposition to make this place work more constructively. This is very important.

**The Acting Speaker:** That is not a point of order.

The member for Niagara Centre on the same point of order?

**Mr. Peter Kormos (Niagara Centre):** I'll not let Mr. Baird attack my reputation with a momentary lapse like that.

**The Acting Speaker:** I think we'll move on.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I move adjournment of the House.

**The Acting Speaker:** The Minister of Community and Social Services has moved adjournment of the House.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 1751.*



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of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 8 June 2005**

**Mercredi 8 juin 2005**

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 8 June 2005

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 8 juin 2005

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### INDUSTRIAL STRATEGY

**Mr. Ted Arnott (Waterloo–Wellington):** Today marks the 10th anniversary of our party's election to government on June 8, 1995, an era that continued with our re-election to a second consecutive majority government in 1999.

The Ontario PC Party was elected on a clear mandate of positive change. We were immediately confronted by a huge deficit, a massive debt and some of the highest taxes anywhere in North America. Addressing these were prime targets of the Common Sense Revolution, our party's platform in 1995.

In government, we worked hard to keep our promises. We worked to restore hope and confidence. We cared about jobs and implemented policies that encouraged the creation of hundreds of thousands of new jobs. Ours was a government that saw a challenge as an opportunity. We knew that economic growth would generate new revenues, and those revenues helped to pay for health care, education and infrastructure even as the tax burden on Ontario's families was reduced.

I believe that Ontario's economy continues to benefit from the work we did from 1995 to 2003, but the world is not standing still and, unlike our government, which sought to take on the world and win, we see a Liberal government today that takes economic development and job creation for granted.

Ontario must confront the new challenges emerging in the global marketplace, including the dynamic economies in the Far East. If we don't do everything we can to compete successfully, we will lose jobs in this province. Working with industries and organizations such as the Canadian Manufacturers and Exporters, I tabled a motion in this House last week calling for the standing committee on finance and economic affairs to investigate Ontario's industrial competitiveness and develop an action plan to maintain and expand our domestic and international markets in the coming years. This motion is aimed at turning the challenges on the horizon into better opportunities for Ontario. I urge the government to act upon it before the House rises for the summer.

#### CANCER FUNDRAISING

**Mr. Richard Patten (Ottawa Centre):** I would like to take the time today to tell you about a wonderful initiative in my community. On February 25 of this year, the Ottawa Hospital dental clinic and the Bytown study club co-hosted a continuing education day to raise money for the head and neck cancer fund at the Ottawa Hospital. This fund is used to offset the cost of implants and implant prosthetics that are required for patients who have had orofacial surgery due to cancer.

Dentists at the clinic do the needed surgery and prosthetics at minimal cost by donating their time and expertise, but funds are still needed for the laboratory portion of treatment. This is just an absolutely outstanding display of generosity and compassion.

The dental clinic itself at the Ottawa Hospital was made possible by the generous donations of the dental community of eastern Ontario and donors in the oral health care industry. The fundraising by the Ottawa dental community to build this clinic raised approximately \$1 million, and the clinic was built entirely without additional government or hospital funds. It is the only full-service adult dental care clinic in eastern Ontario that provides specialized care for in-hospital and outpatients who are medically compromised.

I know that everyone in the House would join me in congratulating the dental community of eastern Ontario for showing themselves to be benevolent and proactive on behalf of those who have been disadvantaged by their medical disability.

#### LIBERAL CAMPAIGN PROMISES

**Mr. John O'Toole (Durham):** At an all-party MPP breakfast this morning, a senior Liberal strategist and McGuinty confidant, Warren Kinsella, reviewed a public opinion poll on the closure of coal-fired generation stations. The survey said that 50% of people under 35 aren't aware of the reckless Liberal promise to close the coal plants by 2007, and 73% said that if the Premier delayed the plant closing by one or two years, it would make no difference in their view of the Premier. What would you expect?

I predict that the polling results may just be paving the way for yet another broken Liberal promise. Is there any surprise? There have been more than 40 broken promises so far, and the McGuinty government seems to get away with it. This includes an increase of almost 25% in hydro customers' bills after the McGuinty government campaign promise to keep the hydro rate protection in place.

Look out in the future. I cannot help but wonder whether voters have heard so many broken promises that they have just given up.

However, I would also like to point out that today's poll showed that just less than 50% of Ontarians remain nervous under the control of the Liberals' electricity system following the blackout a couple of years ago. Just ask the Society of Energy Professionals. The numbers prove that this government has done nothing to restore Ontarians' faith in our once proud electricity system—except to raise the prices, of course.

#### JOSEPH DUFFY

**Mr. Peter Kormos (Niagara Centre):** Joseph Duffy has passed away. Brother Duffy was the long-time business manager of the Provincial Building and Construction Trades Council of Ontario. Before that, he was the business manager of the heat and frost insulators, local 95. A worker, a tradesperson in his own right, he was an insulation mechanic.

Born in Belfast, Ireland, he was a proud Canadian, a great trade unionist and a lifelong, effective and highly regarded advocate for working women and men here in Ontario and across Canada.

He served on a number of important boards and agencies like the Workers' Compensation Board, as it was known then, and the provincial labour management committee for the Construction Safety Association of Ontario, the Workplace Health and Safety Agency, and he was a driving force in the foundation of the Ontario Construction Secretariat. As well, Brother Duffy was the provincial coordinator for Dollars against Diabetes, DADs Day, raising funds to combat juvenile diabetes.

He will be remembered by so many for his tireless work to make all construction workplaces safer. Much advancement in health and safety was the result of his hard work and dedication.

Brother Duffy will be missed by so many. We extend our sincere sympathies and condolences to his wife, Janet, and his children: Lori, Lynn, Michael, Shawn, Steven and Mark.

#### CIVIC ORGANIZATIONS IN NIPISSING

**Ms. Monique M. Smith (Nipissing):** I rise today to congratulate a group of organizations that are contributing to building strong communities in my riding of Nipissing and in northeastern Ontario.

Last week, the North Bay Rotary Club and the Kiwanis Clubs of North Bay and Nipissing joined together to throw an incredible fundraiser for the North Bay Regional Health Centre. Over 500 people celebrated together the moving forward of this important project and raised \$72,000 in the process. Congratulations to Chris Mayne, the chair of the event, to the members of the North Bay Rotary Club, the Kiwanis Club of North Bay and the Kiwanis Club of Nipissing and to all the volunteers for a fabulous evening.

That same day, the Papa Joe ride took place: a motorcycle ride between North Bay and Mattawa. The 300-plus riders enjoyed a beautiful day for a ride, a great barbecue in downtown Mattawa and a big dinner and party in North Bay.

The ride was originally started in honour of Joseph Isadore Lefebvre, or Papa Joe, as he was known, who died of cancer in 1994, but his legacy lives on. The proceeds of this year's ride went to the North Bay Regional Health Centre. The ride raised over \$70,000. I would like to congratulate Don Lefebvre, Papa Joe's son, and all the organizers for another great event.

#### 1340

This past weekend, the Alzheimer Society hosted a beautiful walk on our waterfront. Over 100 people participated.

On Sunday, the Juvenile Diabetes Association held its third walk in our region, with over 350 people walking the waterfront in North Bay. They raised a total of \$102,000 over their three walks in Mattawa, Temiskaming Shores and North Bay. They had representatives from our native community and all across our community.

I'd like to congratulate the organizers of those two walks and everyone in our community who contributed to raising over \$250,000 in the last two weeks in Nipissing. Thank you for building a strong community.

#### LIBERAL CAMPAIGN PROMISES

**Mr. Tim Hudak (Erie—Lincoln):** As you know, Mr. Speaker, 10 years ago today, Ontarians voted for change in government. In fact, it was a change that was revolutionary. It was a government that was committed to fiscal responsibility, a government committed to lower taxes, a government committed to cutting red tape and getting Ontario back to work again, strong and prosperous.

Not only were we elected on these promises, but we delivered. We cut taxes for working families. We restored balanced budgets. We helped to create over 1.2 million new jobs in the province of Ontario. Most importantly, Mike Harris brought integrity back to politics because he did what he said he was going to do. For the first time in decades, people could actually believe a politician when he or she made a promise.

I tell you, 10 years later, things have changed a whole bunch around this place. We've gone from politicians known as promise keepers to a new batch of promise breakers. This was a government elected to balance the budget, but now they're going to run deficits until at least 2008. It was a government elected not to raise taxes, but what was the first thing Dalton McGuinty did? The biggest tax increase on businesses and working families in the history of the province of Ontario.

We know that in politics, the most fragile commodity is integrity and credibility. Mike Harris and his team, elected under the Common Sense Revolution, understood that. I'm proud to have been part of that team, and I look forward to John Tory in two years' time restoring integrity and responsibility to the province of Ontario.



## SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Judy Marsales (Hamilton West):** The health and well-being of people with intellectual disabilities is at the forefront of this government's agenda. This past May, Minister Papatello announced a \$41.1-million plan to strengthen specialized care for adults with disabilities.

In Hamilton West, there are a number of supports for people with disabilities, and Community Living Hamilton ensures that each of these individuals receives the care they need in an environment that nurtures their ability to live independently and to contribute to society.

On June 16, Community Living Hamilton, alongside Community and Continuing Education, will receive the Corporate/Agency Literacy Award for their work with adults with disabilities. They will be recognized for providing disabled people with a lifestyle that ensures a feeling of acceptance into a community alongside the comfort of residing in a nurturing family environment. Their programs also ensure access to education, appropriate housing and pension plans that allow them to live their desired lifestyles.

I would like to take this time to commend Community Living Hamilton on their efforts to provide disabled persons with the resources and supports to live a full and productive life. I'd also like to congratulate them on receiving this award. They deserve this recognition for the work they put into our community.

We are proud of all of the men and women who volunteer their valuable time and efforts for the betterment of our community—all part of building a healthy, connected community, taking responsibility for each other, and in particular those who are less likely to be able to care for themselves. It's no wonder that Hamilton is the volunteer capital of Ontario.

## SUPPORT FOR ONTARIO'S YOUTH

**Mr. Tim Peterson (Mississauga South):** Our Premier is becoming known as the education Premier. Therefore, it is part of the Liberal philosophy to support our youth, and hence we believe in their education and training.

Today in the House we have four members of the Port Credit Lions Club in Mississauga South who share our values of supporting youth. As you may know, the Lions Clubs in Ontario have established a public speaking competition for our youth as their way of assisting their training. They are to be applauded not only for their idea, but for holding this competition for over 58 years.

Today with these members of the Lions Club are five members of the Wyman-McCarthy family, also from Mississauga South. All of them believe in strong education for our youth. Father Tom is the principal of Bishop Scalabrini School; Kathryn, the mother, is an ESL teacher; and each of their sons has won the Lions Club public speaking contest. Imagine that: In one family, each of the boys has won the same public speaking competition. Matthew, the oldest son, won in 1997

and 1998, the local and district competitions; Nat won in 2001; and Timothy, the youngest son, won the all-Ontario competition this year, to the amazement of his two brothers. If any of you have a chance to hear their speeches, you'll be amazed at the quality of their delivery, the depth of their knowledge and the high level of humour. Young Timothy will tell you that the longest palindrome is 17,259 words and that two of the more usual oxymorons are "marital bliss" and "government organization."

As Lion Cassan, Lion Bruer, Lion Frazer and Lion Crawford rise with the members of the Wyman-McCarthy family, I hope you'll join me in applauding their support of our youth and their participation in these public speaking contests.

## PROGRESSIVE CONSERVATIVE GOVERNMENT

**Mr. John Wilkinson (Perth-Middlesex):** I would like to ask the members of the House to join me as we lament the 10th anniversary of the commencement of the Reform-a-Tory government.

Now, when I say a phrase, I want members to visualize what this means to them: unrest in our classrooms, cuts to social housing, disrespect for public service, hospital closures, Hula Hoops, disregard for the environment, Walkerton, downloading to municipalities, neglect of the energy sector, tax cuts versus social programs, poor-bashing, the minimum wage freeze, the 407 rip-off, the Magna budget, contempt of our Legislature, a \$5.6-billion deficit.

If you could paint a picture of the Reform-a-Tory legacy, what you would see is bleak. They told Ontarians that the drastic cuts were needed in order to balance the books. They told Ontarians it would be worth it.

What Ontarians got was eight and a half lost years and a \$5.6-billion annual deficit. That's why they chose change.

Today we have John Tory's Tories, who voted against a smoke-free Ontario, voted against fiscal transparency, voted against the public health care system reforms, voted against the greenbelt and protecting 1.8 million hectares of green space. They even voted against the best post-secondary education investment in over 40 years. I just don't see the difference. Brand new Tory, same old story.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that today the Clerk received the report on intended appointments dated June 8, 2005, of the standing committee on government agencies. Pursuant to

standing order 106(e)(9), the report is deemed to be adopted by the House.

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms. Marilyn Churley (Toronto–Danforth):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**The Clerk-at-the-Table (Mr. Todd Decker):** Ms. Churley from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr9, An Act to revive Acton Disposal Services Limited;

Bill Pr12, An Act respecting Tyndale University College & Seminary;

Bill Pr14, An Act respecting the Institute for Christian Studies;

Bill Pr15, An Act respecting the Toronto Atmospheric Fund and the Clean Air Partnership (formerly known as the Toronto Atmospheric Fund Foundation).

Your committee further recommends that the fees and the actual costs of printing at all stages be remitted on Bill Pr12, An Act respecting Tyndale University College & Seminary.

Your committee further recommends that the fees and the actual costs of printing at all stages be remitted on Bill Pr14, An Act respecting the Institute for Christian Studies.

**The Speaker (Hon. Alvin Curling):** Shall the report be received and adopted? Agreed.

## DEFERRED VOTES

### TOBACCO CONTROL STATUTE LAW AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA RÉGLEMENTATION DE L'USAGE DU TABAC

Deferred vote on the motion for third reading of Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1350 to 1355.*

**The Speaker:** All those in favour, please rise one at a time.

### Ayes

|                        |                     |                     |
|------------------------|---------------------|---------------------|
| Amott, Ted             | Gerretsen, John     | Ouellette, Jerry J. |
| Arthurs, Wayne         | Hampton, Howard     | Parsons, Ernie      |
| Bartolucci, Rick       | Horwath, Andrea     | Patten, Richard     |
| Bentley, Christopher   | Hoy, Pat            | Peters, Steve       |
| Berardinetti, Lorenzo  | Jackson, Cameron    | Peterson, Tim       |
| Bisson, Gilles         | Jeffrey, Linda      | Phillips, Gerry     |
| Bountrogianni, Marie   | Kennedy, Gerard     | Prue, Michael       |
| Bradley, James J.      | Kormos, Peter       | Pupatello, Sandra   |
| Brotten, Laurel C.     | Kular, Kuldir       | Qaadri, Shafiq      |
| Brownell, Jim          | Kwinter, Monte      | Runciman, Robert W. |
| Bryant, Michael        | Levac, Dave         | Ruprecht, Tony      |
| Cansfield, Donna H.    | Marchese, Rosario   | Sandals, Liz        |
| Caplan, David          | Marsales, Judy      | Scott, Laurie       |
| Chambers, Mary Anne V. | Martel, Shelley     | Sergio, Mario       |
| Chudleigh, Ted         | Martiniuk, Gerry    | Smith, Monique      |
| Churley, Marilyn       | Matthews, Deborah   | Smitherman, George  |
| Colle, Mike            | Mauro, Bill         | Sorbara, Gregory S. |
| Crozier, Bruce         | McGuinity, Dalton   | Tory, John          |
| Delaney, Bob           | McMeekin, Ted       | Van Bommel, Maria   |
| Dombrowsky, Leona      | McNeely, Phil       | Watson, Jim         |
| Duguid, Brad           | Meilleur, Madeleine | Wilkinson, John     |
| Duncan, Dwight         | Mitchell, Carol     | Witmer, Elizabeth   |
| Flynn, Kevin Daniel    | Munro, Julia        | Wong, Tony C.       |
| Fonseca, Peter         | O'Toole, John       |                     |

**The Speaker:** All those against, please rise and be recognized by the Clerk.

### Nays

|                 |              |                |
|-----------------|--------------|----------------|
| Barrett, Toby   | Hudak, Tim   | Murdoch, Bill  |
| Hardeman, Ernie | Klees, Frank | Yakubski, John |

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** They ayes are 71; the nays are 6.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

### MINISTRY OF HEALTH SPENDING

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Premier, can you confirm that the Ministry of Health will be spending \$16.964 million more on administration this year, more so than when you took office, as per page 220 of this year's spending estimates?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I can say, with a great deal of pride on behalf of the people of Ontario, that we are investing billions more in better health care services for the people of Ontario. I can also say that the Leader of the Opposition remains very much married to his plan to take \$2.4 billion out of our health care system. Therein lies the contrast; therein lies the difference. We continue to support medicare for all Ontarians.

1400

**Mr. Tory:** Aside from the Premier's flights of fantasy about things that I've said, he remains committed to



profligate spending on bureaucracy and administration. That's what you remain committed to. If you were committed to patient care, as you said, Premier, then you'd be saying that we're not going to spend \$17 million more on the administration of the department of health—and that's before we even get to a further discussion of the hundreds of new bureaucrats you are going to appoint.

I would simply like to ask you this question: What is the extra \$17 million in administration doing for patient care that you just professed to be so committed to in Ontario? What is that \$17 million producing for them?

**Hon. Mr. McGuinty:** To the Minister of Health, Speaker.

**Hon. George Smitherman (Minister of Health and Long-Term Care):** As we had the privilege earlier this week of tabling estimates before the Legislature, I'll rely on those and invite the honourable member, not just for the briefing that we've offered repeatedly, but also to meet up in the estimates committee, where we'll have an opportunity to go over all of the ministries' work.

From the estimates of the Ministry of Health, to be found on page 6, are numbers that I think would prove interesting for the honourable member. They show the beginning of a decrease in 2005-06 for the ministry administration line, and this is part of a 10% overall reduction in ministry administration that my ministry will achieve over the next three years.

**Mr. Tory:** Of course I had seen the line; it's on the same page that I referred to. But it's coming from the same bunch who overspent their budgets everywhere last year by hundreds of million of dollars. In fact, even on the administration spending for the Ministry of Health itself, you overspent last year. So it's telling that you can't name one patient benefit that comes from the fact that you are spending \$17 million more on administering the Ministry of Health, just administering the department. You can't name one health benefit from that. You're spending that \$17 million since you took office, and last year when you came forward and had estimates, they weren't to be relied upon, so why should we rely on that this year when you have flatlined it?

I just want to know, again, why you think it's OK to blow \$17 million more administering your department since you took office. What benefits are people who are paying twice the health tax going to get from you this year for that?

**Hon. Mr. Smitherman:** I'd like to reiterate to the honourable member that it's a decision made by my ministry, and presented clearly in our estimates, that we will reduce our administrative costs by 10% over three years. That represents a reduction of some \$39 million, further evidence of our view that we can do better and make more appropriate use of the important resources that Ontarians provide.

The honourable member asks, what can patients point to in the province of Ontario? Just a couple of examples: The bill that we just passed, Bill 164, the Smoke-Free Ontario Act, has associated with it a very aggressive plan to help people stay off tobacco in the first place, on

prevention, and also on cessation. Each of these initiatives is one that will incur some modest investment on ministry administration, because it does take important people in the ministry, in the public health unit, to be able to support the important healthier Ontario objectives we are advancing, with obvious patient benefits.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Tory:** The fact of the matter is, the money that's being spent on the anti-smoking campaign is contained pages on, and you know that. It has nothing to do with administration. This is just administrative fat.

My new question is to the Premier. There is a troubling pattern emerging here: no answers on how wasting \$17 million on ministry administration is advancing the cause of health care at all in Ontario. Yesterday, incredibly, your Minister of Health disputed his own leaked cabinet document. He said no, he's not hiring 560 new bureaucrats as part of your LHIN program; it's really only 320 new bureaucrats who are being hired at great public expense. I think if you were to ask the people whether they would prefer you hired 320 doctors and nurses with their hard-earned tax dollars they are paying you twice as many of this year for the health tax, they'd pick the doctors and nurses 10 times out of 10.

My question is this, Premier. Since your minister and you and everybody else don't believe your own cabinet documents, what is the total cost of setting up your new regional health bureaucracy, the cost of hiring and firing all these people, and the cost of the hundreds of new bureaucrats you're hiring? What is the total cost?

**Hon. Mr. McGuinty:** Apparently, the Leader of the Opposition has a document which he is not prepared to share with us. But let me tell you that the real numbers were advanced yesterday by the Minister of Health, and Ontarians are now aware of those.

I find it passing strange that the leader of the Conservative Party would embrace this. What we have are effectively nine separate silos. We're talking about our hospitals, our long-term-care homes, our community care access centres, our community health centres, our ministry regional offices, our mental health programs and our five academic health science centres. When you add all those up, those nine silos come out to over 1,200 distinct health care organizations. My friend opposite may feel that you can run over 1,200 organizations from downtown Toronto through Queen's Park, but we believe that we should move the management and integration of those programs into the communities, where people in the local communities have more control over their health care.

**Mr. Tory:** It's a bit ironic, this coming from the greatest centralizer I think we've seen in Ontario history.

*Interjections.*

**The Speaker:** Order, Minister of Community and Social Services.

**Mr. Tory:** Only this McGuinty Liberal government could talk about this rationalization of functions and so forth, and do it and create this so-called greater efficiency

by adding hundreds of bureaucrats. Only you could do that.

Your own estimates documents, released yesterday by your government, show that you are spending \$17 million more just administering the Ministry of Health since you took office.

I want to quote from the this leaked cabinet document that we talked about yesterday: "There is insufficient detail regarding restructuring plans ... whether a full analysis ... has been done, how the ministry will co-ordinate a network of 14 LHINs into a provincial system, etc."

Instead of wasting any more of our tax dollars on what you just talked about, when it's clear you have no plan—there clearly is no legislation—will you put a freeze on this program until such time as you come before this House with legislation that will set some parameters on how much is spent, how it's spent and whether it really will bring any benefits for patients of Ontario, who are paying twice as many of your health tax dollars this year as they did last year? Will you bring that forward?

**Hon. Mr. McGuinty:** I guess it's apt. They call themselves Conservatives, and they are truly defenders of the status quo. But more than just that, the Leader of the Opposition does not trust people in their own communities to take more responsibility for deciding the best way possible to spend money in their communities to ensure they get access to the best possible health care. He says that we should maintain the nine separate silos, maintain the distinct and separate 1,200 health care organizations and that we should run all of that from downtown Toronto. We've got a different view. We think we should move services out, move management out and move integration out into the communities, because we have confidence in the people of Ontario. They know best when it comes to how to spend their dollars on their health care.

**Mr. Tory:** I'll tell you who you think knows best. You think the people who know best are new, high-priced bureaucrats appointed by you and that they will replace the very people you're talking about involving. The hospitals today are run by local people on hospital boards, and those boards are going to be emasculated by your new bureaucracy that you are putting in place at a cost of millions of taxpayers' dollars.

These new regional health bureaucracies will be responsible for spending somewhere in the order of \$17 billion to \$20 billion in taxpayers' money, as your minister said yesterday.

The cabinet document is rife with examples of wasteful spending, inadequate details and poor planning, and you can't answer any questions today about why your administrative costs are going up by million of dollars.

My question is this: Do you think it is reasonable to move any further along with this whole program when you have no plan, no legislation, there are no parameters, you can't tell us why you are hiring hundreds of people, and there are disputes about how much you are spending? We just know it's millions of hard-earned tax dollars.

The whole thing is a shambles. Will you stop it now and bring legislation to this House?

**Hon. Mr. McGuinty:** We're moving forward. We are bound and determined to improve health care for Ontarians, and part and parcel of that moves the decision-making away from Queen's Park, away from the ministry and into the local communities, because we have confidence in the people of Ontario.

We're proud to say that this is a made-in-Ontario solution that will empower local communities. We are going to take full advantage of existing hospital boards. We are getting directors for LHINs from within the community itself, all at a very reasonable price for the people of Ontario.

I might contrast that with just one small but telling example. On their watch, the Tories hired a communications adviser to the minister for over \$300,000 on an annual basis. We have a different approach. We will take full advantage of the expertise and goodwill found in Ontario communities when it comes to improving the quality of their health care.

1410

#### MANDATORY RETIREMENT

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Yesterday, you said, "We just think it's wrong to discriminate against people on the basis of age." But under your work-seniors-until-they-drop bill, an employer in the same workplace could provide employment benefits, like dental benefits, medical benefits and disability insurance benefits, while at the same time denying those benefits to workers aged 65 and over. That sounds like a two-tier workforce to me: workers under age 65 with benefits; workers aged 65 and over, no benefits.

Premier, maybe you could explain how that is not age discrimination.

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** It's interesting to note that the NDP have come out fully opposed to a recommendation of the Ontario Human Rights Commissioner. This is a matter of human rights. We believe that just because you reach the age of 65, that shouldn't impose some artificial requirement on you that somehow disqualifies you from continuing to work and to make a contribution in the workplace. We think it is right that when you do reach the age of 65, you should have the choice as to whether or not you continue to work. We think it's a matter of fundamental human rights. We have come out on the side that says that seniors should have the right to choose whether or not they wish to continue to work. If the member opposite believes in continuing discrimination, then he should just stand up and say so.

**Mr. Hampton:** Forgive me, but I don't think I heard an answer. I heard lots of wordage, but no answer.

Here is the reality, and I'm sure you don't want seniors to know this: Under the legislation you introduced yesterday, an employer like Wal-Mart or Home



Depot could be contractually required to provide medical insurance, dental insurance and disability insurance for their workers under age 65; at the same time, they could say to workers aged 65 and over, "None of those benefits for you." It just seems to me, on the face of the record, the McGuinty government here is not only allowing for some pretty serious age discrimination, but you're literally inviting the Home Depots and Wal-Marts of the world to engage in that kind of age discrimination.

I say to you, doesn't that look like a two-tier workforce to you? How does the McGuinty government justify that kind of age discrimination?

**Hon. Mr. McGuinty:** The NDP are in favour of age discrimination. The only conclusion that we can draw from the position taken by the leader of the NDP is that they are in favour of discrimination on the basis of age. We will not support that. Ed Broadbent was elected fairly recently at the age of 67. Stanley Knowles was elected for the last time at the age of 71. Lloyd Robertson, a respected Canadian, is the national CTV news anchor at the age now of 71 years. We feel that people should have the right to continue to work beyond the age of 65, should they choose to do so. We think to say anything opposite to that is to support discrimination. We stand against discrimination.

**Mr. Hampton:** Excuse me, but I don't think I heard an answer this time either. Let's face it, there are all kinds of people out there who are older than age 64 who are working. So when you try to say, "Oh, this is all about ensuring choice," all kinds of people choose to work. This is about other, more important things. This is about things like the economic security to retire with some dignity.

What I see you're doing here is making an invitation to Wal-Mart and Home Depot: "Hire seniors. Don't worry. We'll give you a discount workforce. You won't have to pay dental benefits. You won't have to pay insurance benefits. You won't have to pay medical benefits. You can get them really cheap."

What I hear seniors saying is, "We'd like to retire earlier. We'd like to retire with a pension, in dignity, with economic security." When's that going to happen?

*Interjections.*

**The Speaker (Mr. Alvin Curling):** Order. The member from Essex, order.

Have you completed your question?

**Mr. Hampton:** I was trying to, but I think there are some Liberals who don't want to hear this question.

When I talk to workers, what they say to me is, "We'd like to retire earlier." When I talk to teachers, they'd like to retire earlier. When I talk to civil servants, they'd like to retire earlier. When are we going to see—

**The Speaker:** Thank you.

**Hon. Mr. McGuinty:** We're not doing anything by means of this legislative change that would prevent somebody from retiring at an earlier age. If people can retire at an earlier age, then all the more power to them. We have no objection to that whatsoever. What we're saying is that just as people should have the right to retire

sooner, they should have the right to retire later. What we're doing by way of this legislation is ending mandatory retirement and, at the same time, we are protecting existing pension benefits and earlier retirement rights. Ours is a fair, reasonable and rational approach.

There was extensive consultation that was taken by the minister and Mr. Kevin Flynn. We heard from many groups. The advice we received was factored in. Obviously there will be committee hearings, and we'll have time to hear from many more.

But the principle is sound. We believe, in the province of Ontario, at the beginning of the 21st century, you should have the right to continue to choose, when you reach the age of 65, to continue to work.

**The Speaker:** New question.

**Mr. Hampton:** To the Premier: I believe that all those people who want to retire earlier, who choose to retire earlier while they still have good health, while they can enjoy their families, all those people who want to retire with economic security, deserve some attention. But the reality is that 60% of workers in Ontario have no workplace pension. They're not interested in working for Wal-Mart or Home Depot without dental insurance, medical coverage, liability insurance and at dirt cheap wages with no pension.

I'm asking you, Premier, rather than facilitating a two-tier workforce for Wal-Mart and Home Depot, when are we going to see the real priority that people have: pension reform that ensures workers can retire earlier with economic security and dignity rather than having to work longer and harder for less?

**Hon. Mr. McGuinty:** To the Minister of Labour.

**Hon. Christopher Bentley (Minister of Labour):** In fact, the honourable member would perpetuate a two-tier system by denying all people who reach 65 the right to protection against age discrimination. That's just wrong in our society.

We have done this, though—and let's be very clear—in a way that will protect the pension, the early retirement and the benefit rights that workers now enjoy and have asked not to be undermined. We have a responsibility to all workers in the province. We're going to protect all workers in the province. This is a fundamental human right, and we're proud to stand and say, "An end to age discrimination for all Ontarians."

**Mr. Hampton:** I notice that the Premier, after failing to answer the question, now doesn't want to even address the question.

I simply say to the government, I don't think you're protecting anyone here. You're going to end up in situations where, in the same workplace, you have workers under age 65 who enjoy a dental package, medical benefits, disability benefits, and beside them will be another worker who, because they're over age 64, has none of those benefits. How can you describe that as protecting older workers?

I can see where Wal-Mart and Home Depot will love this: the McGuinty government providing them with low-wage seniors, and they don't have to pay for medical

insurance, they don't have to pay for a dental package, they won't have to pay for liability insurance. How is it fair to older workers to say to them, "Work longer and harder for less, with no employment benefits"?"

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**Hon. Mr. Bentley:** Right now, workers who turn 65 have no protections whatsoever unless they've negotiated that with the employer, individually or collectively. This is a historic change in the law to make sure that protection against age discrimination continues. We must make this change, or workers out there who are more than 65 will continue to have no protection. But we have been very careful—you cannot undermine pension and benefits rights. Enhancing benefits for all workers in all walks of life is a very important goal of this government. But that's not what this bill does; it's not meant to do that. That's an important conversation for another time. This bill extends protection against age discrimination. It will protect all the workers of Ontario and give workers the right to choose. Why is the honourable member against letting workers decide for themselves whether they continue to work?

**Mr. Hampton:** Here is the situation: I see teachers across the province who want to bargain early retirement; I see civil servants who want to bargain early retirement; for the pulp and paper industry across this province, the bigger issue was bargaining earlier retirement with a decent pension. What is the McGuinty government's response? The McGuinty government's response is, you can work longer and harder at Wal-Mart and Home Depot, you can work without medical benefits, you can work without dental benefits, you can work without disability insurance. I think that's the answer of the minister of cheap labour. I don't think this is a minister looking out for seniors; this is a minister of cheap labour.

My question again is, when are you going to respond to the real interests of older workers, of all workers? They want to retire earlier. They want to have a decent pension system so they have pension coverage. They want to retire with economic security. They want to be able to retire with dignity. When are we going to see pension reform rather than—

**The Speaker:** Minister of Labour?

**Hon. Mr. Bentley:** I'm looking forward to the debate when the member has had a chance to read the bill. He will see that there is nothing to prevent teachers, public servants and anybody else from bargaining whatever they wish to bargain.

Sometimes the content of the rhetoric is given greater colour when we look at the record. Let's see what the NDP did for working people when they had the chance. What did they do with the pension benefits guarantee fund that protects the pensions of workers? They gave companies a holiday. What did they do for injured workers, some of the most desperately poor in the province? They put their hand in injured workers' pockets and took money out of those pockets. And what about those collective agreements the member speaks of? Well, it's called the social contract—ripped up the agreement, took

money away and took away benefits. We won't do what the NDP did. We stand for the working people of this province—

**The Speaker:** Thank you. New question.

## LOCAL HEALTH INTEGRATION NETWORKS

**Mr. Tim Hudak (Erie—Lincoln):** A question to the Minister of Health: Your regional health bureaucracies are in disarray; in fact, they're rapidly becoming a debacle for the McGuinty government as a whole. To make matters worse, your supersized LHIN is taking local decision-making right out of the Niagara Peninsula. Seven municipalities have written to you to protest this. Pelham, Thorold, Welland, Port Colborne, Grimsby, Wainfleet and Fort Erie all agree that the supersized LHIN is bad for Niagara's health.

Minister, if you truly care about local decision-making, why are you ignoring the voice of local municipal leaders?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I haven't ignored the voice of local municipal leaders. I had a terrifically positive meeting with the regional chair of Niagara, Peter Partington, on this very issue. In his supplementary, perhaps the honourable member could stand in his place and tell me what local decision-making has been taken away as a result of our decisions.

**The Speaker (Hon. Alvin Curling):** Supplementary?

**Mr. Cameron Jackson (Burlington):** Minister, one of the major concerns is your lack of openness through this process, and now we learn that there are going to be political appointments for all of these. That's one of the issues of local autonomy. But your decision will be devastating for the region of Halton, which you have divided into three separate LHINs. They have done years of work to create a regionalized system of health delivery.

No one, in fact, has come out and endorsed this plan. Joyce Savoline, the regional chair, has come out against your plan. Community Development Halton has come out against your plan, Oakville Mayor Ann Mulvale, the VON in Halton and the Halton CCAC—and the list keeps growing. Minister, will you be honest with the taxpayers of Halton? Will you involve the Halton taxpayers as you radically restructure health care and rob Halton of its local autonomy?

**Hon. Mr. Smitherman:** I'm very pleased to report to this House that the honourable member is out of date. If he turned around and spoke to his colleague the member from Halton, he would know that as a result of the interventions of Joyce Savoline, someone that I know well and have worked with very closely on this issue, we have been able to make very serious alterations to the local health integration network boundary. With the involvement of the member, we've been able to move the Georgetown hospital to a more appropriate placement within the Halton health services family. We think this is an important advancement.



At the end of the day, what our model will have is people from Halton, people who live in Halton, exercising decisions which right now I have the privilege of making from my office in the Hepburn Block. This is all about community engagement. As the honourable member may have had a chance to consult with his colleagues, he'll know that of the 42 people, two very fine people from Halton region are already stepping forward. They're community-minded people, they're not partisan people, and they're going to make really well-informed decisions on behalf of the patients in the province.

#### MINISTER'S SPENDING

**Mr. Peter Kormos (Niagara Centre):** A question to the Premier. Premier, in 2003, you stood in this House and said to then-Premier Eves, "It is wrong to run some \$25,000 in family expenses through the riding association." Do you still believe it's inappropriate for a member to finance personal vacations and expensive meals through a riding association?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I look forward to hearing the supplementary, Speaker.

**Mr. Kormos:** Premier, this is the annual return for the Ontario Liberal riding association of York South-Weston, the riding of the Minister for Economic Development and Trade. If a page will come here, I'll send it over to you. It reveals an orgy of spending by your minister: meals in Parisian restaurants, hotel stays in Milan, the latest plays of the London theatre, even \$1,000 suits from local haberdashers, all paid for by the riding association.

Donors who wanted the ear of your government poured money into that riding association and Junket Joe blew it tripping the light fantastic. Premier, do you still believe this is inappropriate? What are you going to do about it?

**Hon. Mr. McGuinty:** Let me say that I have had the good fortune of having Joe Cordiano serve as my Minister of Economic Development and Trade. I know that he's been working very hard on behalf of all the people of Ontario. I know that requires extensive travel on his part. I know that he is absolutely scrupulous when it comes to making expenditures. I know that he honours all of the rules. I know that he does his utmost to make sure that he is balanced and fair. I can say that I have complete confidence in any way that Minister Cordiano has brought to dealing with his expenditures.

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#### YOUTH EMPLOYMENT

**Mr. Mario Sergio (York West):** My question is for the Minister of Training, Colleges and Universities. With all the hot weather we have been having lately, we know that summer is approaching. The arrival of summer means that the youth in my riding of York West are finishing their last days of school and many of them will

begin to look for work and training. Summer work provides youth in my riding not only with a source of income but also with invaluable experience for whatever career path they may choose. Summer employment provides students with training and new skills while also offering students a better understanding of a particular line of work to help them determine whether it is the best choice for them as they reach toward their career goals.

There are some college and university students in my riding who are still looking for work this summer, while high school students have just a few weeks left before they are ready to enter the summer job market. Minister, it is vital that students are offered assistance in finding the right opportunity this summer. By helping students in their summer job search, we will be helping them reach their full potential in the years ahead. Minister, can you please—

**The Speaker (Hon. Alvin Curling):** The Minister of Training, Colleges and Universities.

**Hon. Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'm grateful to the member for York West for his question, because I would like to share with him, and with everyone else in the House so they can share it with their constituents, the fact that our government has announced support for well more than 57,000 young people who may wish to have some summer experience. These opportunities are available from April to September. It involves services from my ministry's offices through 100 Job Connect agencies in 80 communities. I would encourage our young people to avail themselves of these opportunities, and I would encourage community organizations to avail themselves of the \$2-per-hour wage subsidy that will give these young people work experience. The youth jobs Web site and the Job Grow help line will provide more details on what is available to them.

**Mr. Sergio:** Other youth in my riding have an entrepreneurial spirit and have already begun thinking about starting their own businesses, with hopes of great future success. Many, however, have difficulty knowing where to start, and become discouraged and distressed. Teens, either in school or out of school, need a sense of direction and encouragement from those in authority. When youth feel empowered, it spreads to their peers and can cause a great positive change in communities. Minister, what is being done to reassure the youth in York West that their ambitions will not go unnoticed and their desire for starting their own business will come to fruition?

**Hon. Mrs. Chambers:** I think my colleague the Minister of Economic Development and Trade would love to talk about that subject.

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** I'm happy to report that last March—

**Mr. Peter Kormos (Niagara Centre):** Nice suit, Joe.

**Hon. Mr. Cordiano:** This one I paid for myself, I'll have you know. Most of these expenses I paid for myself. You know, you sink to a new low when you stoop to that level, but that's fine.

**Mr. Kormos:** I just said it was a nice suit.

**Hon. Mr. Cordiano:** You choose to do that; that's the lack of your integrity.

We announced the Ontario summer job strategy, and through that program 57,000 young people will get the chance to find jobs or start their own businesses. That's a good thing for the economy of Ontario. The summer company program is a program that's administered by my ministry. It helps students aged 15 to 29 start up and run their summer businesses. We award up to \$1,500 in May and June to help businesses with start-up costs. It's been a very successful program, and I am proud of the fact that we support young people in the province.

### ONTARIO JOINT REPLACEMENT REGISTRY

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. The Ontario joint replacement registry was established in 2000 to collect data on full wait times; that is, from the initial visit to the family doctor, to the specialist, through surgery and outcomes, with the goal of providing timely access to hip and knee surgery and improving patient outcomes. The information collected helps reduce the need for redo surgeries, which take longer to recover from and are more invasive and costly.

Minister, why have you decided to centralize control and cancel the Ontario joint replacement registry when your new provincial wait-time data will no longer provide the full wait times to patients from family doctor to specialist to surgery, which is about 205 days, but only wait times from specialist to surgery, about 139 days? Is this part of your plan to control the data so that wait times will respond to your promise to reduce wait times?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The little motive stinger that the honourable member offers at the end of the question doesn't do anything except help emphasize the obvious, which is that we're actually talking about wait times in this province, as evidenced by our government's focus on it. We believe it's imperative that we produce a better result for Ontarians in this important area. I want to tell the honourable member that this afternoon I'm having a meeting with folks from the Ontario joint registry. As we move toward a model of wait times that puts the information available on a Web site for all Ontarians to see, I think we are making progress, but at the same time I recognize the contribution that has been made by the Ontario orthopaedic surgeon community. We will make sure that the value of the data they collect continues to be made available to the Ontario health care system. I think we're going to make some progress on that even this afternoon in our meeting.

**Mrs. Witmer:** I would say to the minister that the Ontario Arthritis Society wants you to cancel your decision to terminate the Ontario joint replacement registry. They understand and they know that support to patients is going to be lost, valuable outcome data are going to be

lost, data that help reduce surgery and wait times for hip and knee by reducing revision surgeries. Minister, why have you made the decision to go back to the 1970s, to no longer support the patients and collect the data that show how well implants and surgery techniques are working to help provide the best possible care and outcome for patients who have severe arthritis and require hip and knee replacements?

**Hon. Mr. Smitherman:** The honourable member in one breath herself embraces the status quo. She is just like the rest of that bunch over there. It's Tory, Tory, same old story. You ask a question because someone sent you a press release. Your party is practising fax machine politics. You stand by the fax machine and wait for your message of the day. But the reality, as I said in my first answer, is that we are working with this group. We can do better—

*Interjection.*

**Hon. Mr. Smitherman:** Well, I'm having a meeting this afternoon. That's pretty good evidence of the work we're doing together. At the end of the day, the answer is not to be found in the status quo. The status quo wasn't working for patients in Ontario. They were waiting too long. We are a government that is dedicated to the task of reducing wait times in five key areas, and we will, but we will do so in a way that works with the orthopods and makes sure important quality data are not lost. That is the bottom-line commitment I offer to the honourable member.

### GENERAL MOTORS OF CANADA

**Mr. Peter Kormos (Niagara Centre):** Premier, workers at the General Motors plant in St. Catharines are reeling at the announcement by General Motors of the elimination of 25,000 jobs in the United States and significant reduction in production by General Motors across North America. What are you going to do to save those very important jobs, important to their families, important to Niagara, important to Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I would ask the member opposite, where was he when we put forward our half-billion-dollar strategic auto sector investment fund? They opposed that plan and we were successful in landing several billion dollars' worth of new investment in Ontario. Obviously we are paying attention to this news south of the border. We've had our eye on this for some time. They have made an announcement, and obviously they're going to lose 25,000 US jobs, but I think we enjoy some distinct advantages here in Ontario that we should be mindful of. Number one, in Oshawa we've got the most productive auto assembly plant in North America for GM.

Secondly, CAMI, which is a joint venture between GM and, I think, Suzuki, has recently announced they're going to hire 400 more people. In addition to that, one of the advantages we enjoy is simply by virtue of medicare, which gives employers here a real edge over their Ameri-



can counterparts. So I remain very optimistic of where we are going with respect to the auto sector in Ontario. I understand there will undoubtedly be some implications flowing from the job losses down there, but we remain very optimistic.

**Mr. Kormos:** Tony Van Alphen, in the Toronto Star, reports that Niagara region has lost 10,000 manufacturing jobs over the last decade—10,000 in Niagara region alone. In the period of time between 1995 and 2005, there were 10,000 jobs lost. This has a serious impact on the economy of Niagara. A reduction in GM production, the termination of 25,000 jobs by General Motors in the United States, has General Motors workers in St. Catharines extremely concerned about their futures, their families' futures and their community's future. What are you going to do about those jobs that have been put at risk now by the announcement by General Motors of the reduction in production in the United States?

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**Hon. Mr. McGuinty:** I think it's important to note, by way of contrast, that during the NDP years in government, this economy lost 1,000 jobs every week. I thought it was going to be "month," but it's "week"; we lost 1,000 jobs a week. So far, during our 18 months, we have over 145,000 new jobs that were created by this economy.

It's no secret that we've gone to the wall for the auto sector. Frankly, we've taken a bit of a hit from some other sectors, who are saying, "What about us?" But we understand it's such an important foundational part of our economy that we've set aside half a billion dollars and are engaging in some partnership activities with our auto sector people. We remain very optimistic. We are mindful of activities taking place south of the border and what's happening in the global economy with respect to shifts in the auto sector, but I think we are poised here in Ontario for a significant rebirth of the auto sector. We've made some announcements, and we look forward to making more in the future.

### WATER QUALITY

**Mrs. Carol Mitchell (Huron—Bruce):** My question is for the Minister of the Environment. About a year ago, I asked you a question in this Legislature about water quality in Lake Huron. Lake Huron has many beautiful beaches and is a major tourist attraction in my riding, yet public beaches continue to be closed due to high levels of bacteria detected in water along the shoreline. Many concerned citizens in my riding would like to find solutions to the ongoing pollution problem in Lake Huron. What is our government doing to address the problems associated with bacterial contamination along the Lake Huron shoreline?

**Hon. Leona Dombrowsky (Minister of the Environment):** I very much appreciate the opportunity and also the good work of the honourable member for advocating on this very important issue. I've also heard, and she has been in attendance at the meetings when municipal rep-

resentatives and community representatives have come to my office to raise these important concerns. Last year, as a result of that, we created the Lake Huron science committee, which was to review existing information about the shoreline water quality. The science committee recently completed its review, and they've indicated that bacterial contamination is not worsening; however, additional study is needed. Our government and the Ministry of the Environment have committed \$48,000 to the University of Guelph to further study the problem. As well, we have committed \$50,000 to Huron county to enhance its water quality monitoring.

We are moving forward. We are prepared to support community efforts. We do take water quality in the province of Ontario very seriously.

**Mrs. Mitchell:** I know that the people in my riding will be very pleased to know that our government has renewed its commitment to better protect water quality in Lake Huron and across all of our Great Lakes.

A report released today by PollutionWatch points out that the Great Lakes are threatened by industrial air pollution as well. The report states that 45% of all toxic air pollution reported in Canada in 2002 was produced in the Great Lakes basin. This report will come as a shock to the citizens in my riding. Minister, what assurances can you provide that our government is addressing the air pollution concerns that PollutionWatch has highlighted?

**Hon. Mrs. Dombrowsky:** I do have the report that the honourable member has referenced. I was very interested, and I have to say somewhat heartened, that in 2005, the grade that the province of Ontario has received is a C-plus, and we need to improve that. But I could not help but note that over the last 10 years, it has not been a C-plus since 1995, and in seven of the last 10 years, under the Tory government, it was F. In fact, in one year it was F-minus. I don't know how you get an F-minus.

If you look at the 10 top polluters, three of the worst polluters are coal-fired generators in the province of Ontario. Our government is committed to replacing coal-fired generation. We have already closed one coal-fired plant.

We are also committed to a five-point air plan that is going to improve air quality in Ontario by reducing NO<sub>x</sub> and SO<sub>x</sub> emissions. We are committed to investing two cents of the gas tax in public transit, getting more vehicles off the road. We are committed to cleaner gasoline. We take our commitment to improve air quality very seriously, and I think the actions of our government demonstrate that.

### TOBACCO CONTROL

**Mr. Toby Barrett (Haldimand—Norfolk—Brant):** To the Minister of Community Safety and Correctional Services. Minister, your government's Smoke-Free Ontario Act and tobacco tax hikes created close to 300 smoke shops on New Credit and Six Nations. Six Nations Police and the local newspaper are reporting who benefits: the Hells Angels, the Vagabonds, organized crime. And it

gets worse. I quote the Tekka newspaper: "There is specific evidence to the presence of major motorcycle gang operations, the Italian mafia, Russian mafia, Sri Lankan and Asian mafias, as well as Jamaican drug gang operatives working in the relative safety of native communities."

A Seneca Road smoke shop was shut down because of a partnership with the PLO.

Minister, do you not know what's going on at Six Nations? If you do know, why no action? What are you afraid of?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I find the member's question very interesting. If you knew anything about the Ministry of Community Safety and Correctional Services, or the former Solicitor General, I have responsibility for overall policing in Ontario, but I do not have responsibility for administering every single police service. That is an operational matter for the police. If these issues are known, the police will investigate and do what they have to do. It would be inappropriate for me to tell police what they should be doing in their capacity in providing police services, and the member should know that.

**Mr. Barrett:** Minister, we have the OPP at New Credit. We have Six Nations with their own force. They need help. The smoke shops are out of control. You're leaving Six Nations Police out on a limb. They need help. They could use some of that \$8 billion in tobacco taxes that your government and other governments collect across the Dominion of Canada.

Your government has created this dangerous situation. Minister, why have you turned your back on police at Six Nations and New Credit?

**Hon. Mr. Kwinter:** With all due respect, I haven't turned my back on anybody. The Six Nations Police Service knows exactly what their responsibilities are. They know what their reporting responsibilities are, and they do that. The OPP are in exactly the same position. They have their responsibilities. They are a force that has the ability to go in and deal with crime wherever it's found.

That is, as I said earlier, an operational matter for those particular police agencies. It is not my responsibility to direct police services. That is something that that particular government, given an inquiry that's going on at the present moment, should know very much about and understand that there is a separation between my role as minister and the role of the police services.

#### MUNICIPAL FINANCES

**Mr. Michael Prue (Beaches-East York):** My question is to the Premier. Mr. Premier, you're very fond of referencing the funding gap between the province of Ontario and the federal government. You've been less attentive to the funding gap of your own making between the province of Ontario and the municipalities. The Conference Board of Canada's report yesterday identified

that Toronto will suffer a \$1-billion gap in the year 2006, most of which is for initiatives and responsibilities of the province. Surely the same rules apply for the city of Toronto and the province as you've laid out for the province and the Canadian government.

My question to you is very simple: Will you commit to ending the \$1-billion gap in the same way you're asking for the federal government to end the gap in Ontario?

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**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** There is a big difference, at minimum when it comes to the goodwill that we have demonstrated.

I appreciate the question and I appreciate that some folks at the city of Toronto are bringing forward some information, but what I hope everybody appreciates is that we got into this file a long time ago. We have made a commitment to introduce legislation by the end of this calendar year to put Toronto on a stronger footing. We have a consultation process that's going to take place this very summer. So we are into this.

We don't need to be convinced that we need to work together to put the city of Toronto on a stronger footing. That is not an issue for us. The only issue is what is the best way to get there. We're bringing something to the table that has been missing for decades, and it's called goodwill.

**Mr. Prue:** Mr. Premier, the billion-dollar gap that the city of Toronto is talking about—or, more correctly, the Conference Board of Canada—already includes your new money, such as the gas tax transfer to the city of Toronto.

The Conference Board stated, "Toronto's local government is in dire need of a new fiscal arrangement—either through new revenue sharing or a reduction in financial responsibilities—to become fiscally sustainable."

Mr. Premier, either share your revenues with Toronto or take back the downloaded costs. Which one is it going to be?

**Hon. Mr. McGuinty:** The member opposite may not appreciate this, but we are in fact involved in some very productive discussions with representatives of the city of Toronto.

Even before those got underway, we have obviously lessened some of the financial burdens on the city of Toronto: We have proceeded with a gas tax, something that is without precedent; we are uploading public health; there is a \$1-billion investment in GO Transit and a \$1-billion investment in the TTC; something the member may think is worth discounting but we think is very important is that we continue to invest billions of dollars in Toronto schools and in Toronto hospitals. We think that those things happen to be very important to Torontonians.

I say, in summary, that we have a good foundation built of goodwill between myself, the mayor and our respective executives, and we look forward to working together to put Toronto on a stronger foundation.



## CANADA-ONTARIO RESEARCH AND DEVELOPMENT PROGRAM

**Mrs. Liz Sandals (Guelph–Wellington):** My question is for the Minister of Agriculture and Food. This past Saturday you made an announcement on behalf of the province, in partnership with the federal government. The announcement was quite fitting. Just last week, we were reminded of the financial hardships that the cattle sector has been facing due to BSE when they hosted their barbecue on the front lawn of Queen's Park.

Minister, you made an announcement that will benefit the cattle sector, and in particular the Ontario Cattle Feeders Association, the Ontario Veal Association and other groups, as they work toward achieving long-term goals. Could you please tell us more about this announcement.

**Hon. Steve Peters (Minister of Agriculture and Food):** I'm very proud to work in partnership with the federal government to announce a \$35-million investment in the Canada-Ontario research and development program. It demonstrates and fits very clearly into what the Premier is all about, because Premier McGuinty is an individual who has a long-term vision for agriculture, and that's what this is all about: long-term viability.

Over 70 projects were funded through the CORD program. It is very interesting to see some of these projects, including the Ontario veal industry and the Ontario Cattle Feeders Association for the Ontario corned beef program, because the goal is what we have been talking about: the long term.

What these announcements are going to do is give the opportunity to the cattle feeders and the veal association to conduct research and better market their product to make sure that Ontarians recognize the safe, high-quality, nutritious food they are putting on the table, and make sure that when they go into a store, they are buying local and buying Ontario.

**Mrs. Sandals:** Thank you, Minister. Your announcement will go a long way to help rural Ontarians who work hard day in and day out to provide us with quality food products. The crisis they face is one that needs special long-term attention. Our government recognizes the importance of long-term thinking, and realizes the value of research and development projects in the agriculture industry. We believe that through advancing science and technology, with a focus on quality and safety, our agricultural sector can truly be a world-class leader.

Minister, my constituents at the University of Guelph want to know how they can apply for funding under the Canada-Ontario research and development fund.

*Interjections.*

**Hon. Mr. Peters:** It's interesting to hear the heckling from the other side as they talk about their pride in the 10th anniversary of the election of their government. When they were elected, they went and cut \$14 million directly out of the Ministry of Agriculture and Food. There was no forward thinking on the other side. They just lurched from crisis to crisis.

We are taking a different approach. We are looking ahead. We are being forward-thinking. I'm proud of the work the member has done in promoting the University of Guelph and those great facilities we have there, because the heart of research and development in agriculture and the agri-food industry is in Guelph. What is so great about it is that they are looking ahead; they are forward-thinking. That very same approach is what we are doing and moving forward with as well.

They can apply by getting in touch with the Agricultural Adaptation Council. The council plays a very important role in administering these funds and in reviewing these programs. There is an additional \$28 million available for projects in this pot.

## MINISTER'S SPENDING

**Mr. Ted Chudleigh (Halton):** My question is to the Premier. When you were over here in the 37th Parliament, your now Attorney General and your now Minister of Health attacked our Minister of Environment on a daily basis for incurring expenses while overseas and charging them through his riding association. Premier, your Minister of Economic Development and Trade is doing exactly the same thing. Why was it not OK then, and why is it OK now?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I will say again that I have complete faith in the Minister of Economic Development and Trade, in his handling of these kinds of matters and in the appropriateness of the expenditures he has made.

**Mr. Chudleigh:** Premier, Chris Stockwell resigned. He was driven out of politics because of the attack methods that you used on him through what you are now calling legitimate expenses. This is the worst case of double standards that I have ever experienced.

Can't you see that this is wrong: buying suits in London for \$1,300; buying luggage; staying in hotels in Toronto, where he has an apartment? This is wrong and it's a double standard. Are you going to ask for his resignation?

**Hon. Mr. McGuinty:** I know the minister would like to speak to this, Speaker.

**Hon. Joseph Cordiano (Minister of Economic Development and Trade):** All of these expenses have been thoroughly canvassed; they've been audited. These reports have been audited and none of these expenses is inappropriate. The Integrity Commissioner has gone thoroughly through my expenses on travel-related matters. These have nothing to do with that. In fact, when I stayed in Milan, what the previous member was referring to—

*Interjections.*

**Hon. Mr. Cordiano:** If I could speak, Mr. Speaker.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. Could I have some order, please. Minister?

**Hon. Mr. Cordiano:** It was referred to that I stayed in Milan and that this was a vacation. I paid for the evening

in that hotel out of my own pocket. So the claims that are being made here today are erroneous. None of these expenses is inappropriate. They're all within keeping of management guidelines when I travel. All of these expenses are, I remind you, through the riding association, in support of initiatives that I undertook on behalf of the party with respect to fundraising or other matters. All of these expenses—

**The Speaker:** Thank you. That brings us to the end of oral questions.

1500

## PETITIONS

### HIGHWAY 406

**Mr. Tim Hudak (Erie—Lincoln):** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the province’s greenbelt legislation and Places to Grow plan have significantly restricted how Niagara can grow and develop; and

“Whereas the 406 highway from Beaverdams Road in Thorold to East Main Street in Welland is one of the busiest two-lane highways in Ontario, with 27,000 cars daily; and

“Whereas extending Highway 406 to Port Colborne will attract much-needed jobs and new investment to Port Colborne, Wainfleet, Pelham and Welland;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Dalton McGuinty Liberals immediately expand Highway 406 and extend it to Port Colborne.”

And in support, my signature.

### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here from a number of people, among them Bev McLean of Thomas Street in the Middlebury area, who used to swim on the same swim team as me at the Glenmore Curling Club in Dollard-des-Ormeaux in Quebec in the 1960s and 1970s. The petition reads as follows:

“Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

“Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

“Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the con-

struction of an expanded facility able to meet the needs of our community;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite.”

I fully support this petition. I affix my signature to it and ask Benjamin to carry it.

## VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo—Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo—Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

I want to thank James Peavoy from the town of Erin for his work in compiling this petition. I, of course, support it and I’ve affixed my signature as well.

## REFUNDABLE CONTAINERS

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions against pop cans and beer bottles in public parks. The petition reads as follows:

“To the Legislative Assembly of Ontario, and especially to the Ministry of the Environment:



"Whereas we find lots of pop cans and beer bottles in our parks plus children's playgrounds;

"Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminium cans worth \$27 million into landfill sites every year instead of recycling them;

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Therefore, we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

And since I agree with this petition 100%, I'm delighted to sign it as well.

#### HALTON RECYCLING PLANT

**Mrs. Julia Munro (York North):** "To the Legislative Assembly of Ontario:

"Whereas noxious odours from the Halton Recycling plant in Newmarket are adversely affecting the health and quality of life of residents and working people in Newmarket; and

"Whereas local families have lost the enjoyment of their properties for themselves and their children, face threats to their health and well-being, and risk a decline in the value of their homes; and

"Whereas for the 300 members of the nearby main RCMP detachment, as well as other workers in the area, the odours are making their working conditions intolerable;

"Therefore we, the undersigned, demand that the Minister of the Environment take immediate action to halt all noxious emissions and odours from the Halton Recycling plant, and take all steps necessary to force Halton Recycling to comply with environmental rules, including closing the plant if the odour problems continue."

As I am in favour, I have affixed my signature and I give it to Luke.

#### HEALTH CARE

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I have a petition.

"To the Legislative Assembly of Ontario:

"Whereas the Liberal government has announced in their budget that they are delisting key health services such as routine eye exams, chiropractic and physiotherapy services,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reverse the delisting of eye exams, chiropractic and physiotherapy services and restore funding for these important and necessary services."

And I have also signed this.

#### CREDIT VALLEY HOSPITAL

**Mr. Kevin Daniel Flynn (Oakville):** I have a petition here signed by a number of people, including Elaine West from 1265 Sixth Line in Oakville, and it reads as follows:

"Credit Valley Hospital Capital Improvements:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

#### GASOLINE PRICES

**Mr. Jerry J. Ouellette (Oshawa):** "To the Legislative Assembly of Ontario:

"Whereas gasoline prices have continued to increase at alarming rates in recent months; and

"Whereas the high and unstable gas prices across Ontario have caused confusion and unfair hardship to Ontario's drivers while also impacting the Ontario economy in key sectors such as tourism and transportation;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario consider an immediate gas price freeze for a temporary period until world oil prices moderate, and

"That the provincial government petition the federal Liberal government to step up to the plate and lower gas

prices by removing the GST on gasoline products and fix the federal Competition Act to ensure consumers are protected and that the market operates in a fair and transparent manner."

I affix my name in full support.

1510

#### ANTI-SMOKING LEGISLATION

**Mr. Bob Delaney (Mississauga West):** I have a petition here signed by, among others, Dr. Barbara Clive, head of surgery at the Credit Valley Hospital and a resident of my riding on Nutcracker Drive in Lisgar. It reads as follows:

"We, the undersigned, petition the Ontario Legislative Assembly as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will reduce the incidence of smoking among Ontarians and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places and in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I was pleased to vote in favour of Bill 164 just a short time ago. I affix my signature on this petition and ask page Kai to carry this for me.

#### SCHOOL FACILITIES

**Mr. John O'Toole (Durham):** It is my privilege to present a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Street Public School community in Clarington wishes to alert the Minister of Education to a damaging situation with respect to overcrowding and underfunding at this French immersion school; and

"Whereas Ontario Street Public School is being penalized because it is located in the fast-growing urban centre of Clarington, but is part of a larger board that includes rural communities with declining enrolments and less access to public funding; and

"Whereas despite its exceptional track record, Ontario Street Public School's French immersion program is being reduced from a K-8 to a K-6 program, with a cap on K-6 enrolment and grade 7 and 8 students being temporarily housed off-site for a third consecutive year; and

"Whereas our single greatest need is in adequate housing of a program that has seen superior academic achievement and a unique community culture building on strong values of success; and

"Whereas the entire Ontario Street school community is committed to working with the Minister of Education and all parties to explore a fair, reasonable, practical and effective solution;

"Therefore we, the undersigned parents, students and friends of Ontario Street Public School, respectfully petition the Legislative Assembly of Ontario as follows:

"To grant special consideration for a review of funding options that will protect and develop the existing K-8 French immersion single-track program at Ontario Street Public School in Bowmanville; and

"To undertake the necessary actions immediately, in the context of the current budget, to resolve the urgent accommodation needs of Ontario Street Public School in the shortest time possible."

I'm pleased to endorse this and sign it on behalf of Alex Reid and others from the community.

#### TENANT PROTECTION

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions from Doversquare Apartments and the tenants thereof in my riding. The petition reads as follows:

"Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

"Whereas the Ontario Rental Housing Tribunal (ORHT) created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs, and this same act has given landlords wide-ranging powers to evict tenants; and

"Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board (OMB) to add a fourth high-rise unit to our compound in order to circumvent city of Toronto restrictions on density and the city's opposition to its project;

"Whereas this project would lead to overcrowding in our densely populated community, reduce our precious green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

"Whereas this project will drive away longer-term tenants partially shielded from the post-1998 Harris-Eves rent increases, thereby further reducing the number of relatively affordable units in the city core; ...

"We, the undersigned residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:



"To institute a rent freeze until the exorbitant ... guideline and above-guideline rent increases are wiped out by inflation;

"To abrogate the ... 'Tenant Protection Act' and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT and reinstates real rent control, including an elimination of the ... policy of 'vacancy decontrol';

"To keep the McGuinty government to its promise of real changes at the OMB, eliminating its bias toward wealthy developers and enhancing the power of groups promoting affordable housing, sustainable neighbourhoods and tenant rights."

## OPPOSITION DAY

### SUPPORT FOR AGRICULTURE AND RURAL ONTARIO

**The Acting Speaker (Mr. Michael Prue):** Mr. Tory.

**Mr. Gilles Bisson (Timmins-James Bay):** I'm a clerk in training.

**Mr. John Tory (Leader of the Opposition):** I'm a little concerned about some of the attendance at the Clerk's table, but I'll leave that for another time.

We put this motion forward to try to put on the record and again have, I hope, a thoughtful discussion on the part of all parties today about agriculture, and not just about agriculture but about the future and—

**The Acting Speaker:** The leader of the official opposition needs to move the motion in order that we have something to debate.

**Mr. Tory:** I apologize, Mr. Speaker.

I move that the Legislative Assembly calls upon the government:

To recognize and endorse the fiscal and social value of Ontario's agricultural industry and the rural way of life that surrounds it; and

That the Ministry of Agriculture and all members of the assembly recognize and offer assistance with the legitimate challenges that are currently plaguing Ontario's farmers; and

That the government live up to its commitment to make the Ministry of Agriculture a lead ministry; and

That the members of the assembly support and endorse the historical and traditional values of Ontario's rural communities and commit to ensuring that government legislation, regulation and enforcement do not undermine these traditions and values.

**The Acting Speaker:** Mr. Tory has moved opposition day motion number 5. Mr. Tory.

**Mr. Tory:** Thank you, Mr. Speaker. I apologize for that. The truth of the matter is, I thought that I had to do it, because I did last week at this time. But I didn't actually have the motion handy, and I thought I might get away with just getting up and starting to speak to it. But you're obviously on top of the rules, as always, sir.

I think that sometimes in this House we act as if this whole issue of agriculture and rural Ontario is something that's happening somewhere else and really doesn't have any relevance for us here, and really doesn't have any relevance for a lot of the people who live in cities, for example. I was fond of saying, and still am, that I come from a city, and I describe myself as a city boy. But I'm a city boy who has gone out of his way, during the time I've been involved in politics, to make sure I spent the time and invested the time to learn about rural issues and learn about farm issues.

I still have lots to learn, but I have come to understand that there is an absolutely crucial connection between the health of the agricultural sector in Ontario, the impact that in turn has on the health of rural Ontario, and then the connection that is often lost, which is that the health and vitality of rural Ontario does in fact have a lot to do with the overall health of Ontario itself and should be of much more concern than it is to people who live in the cities of Ontario.

If you go back and look at the identity of Ontario and where those kinds of cornerstone values come from, they come from the farms, from the soil of Ontario and from the small towns, where people have roots that go back generations, where people hold to the values that have made Ontario great, and that still, I think, in many cases root a lot of where we go and what we do in Ontario. Agriculture is a part of who we are. It connects us to the land. It's a source of pride. The fruits of our land gain accolades and praise around the world.

But I think the part we forget from time to time is the contribution that agriculture makes to fuelling the economy of Ontario. The Minister of Agriculture has been among those saying that it is the second-biggest industry in Ontario—and he's right when he says that—just behind the automotive industry. The fact is that we've heard that a lot of times from the Minister of Agriculture, but what we haven't seen is the kind of commitment that backs up that sort of statement, that says what we're going to do is get behind this industry, especially in its time of trial, and do the things that need to be done to make sure it can remain strong going into the future.

**1520**

The spinoff economy that agriculture supports, as we all know, is huge. Just think of how many times you've been in a grocery store and how many people are employed there doing all kinds of things, and of how many people make their living getting produce to market.

I was in my own riding in the town of Mount Forest not too long ago. I may have said this in the House before, but it bears repeating because I think it's a good example of the interconnection between all the different things that go on in Ontario that rely on the health of the agricultural sector. I went into the ladies' wear store for a visit to say hello. I said to the woman, as you will, "How's business?" She said, "In 20 years, it has never been worse." I said, "Why is that? What is causing it to be so bad?" She said, "It's very simple. The farmers have no money, and if the farmers have no money, they make

up a substantial percentage of my customer base, and as a result the business is the worst it's been in 20 years."

Two doors down the street in Mount Forest is the Ford dealership. The woman there who is the general sales manager—same day, half an hour later—when asked, "How's business?" said to me, "Well, you know, in the car business it is always up and down, but it's very bad right now." I said, "Is it just the cycle of the car business?" She said, "No, we sell more trucks than cars and we sell the trucks to the farmers. The farmers don't have any money so they're not buying any trucks."

These were two people independent of each other and it was within 15 minutes. I'm sure if I had finished asking the same question in shop after shop, whether it was in Mount Forest, Arthur, Shelburne, Orangeville or anywhere else, I would have had the same story repeated over and over again.

Yet we talk here as if somehow this is kind of unconnected to the rest of reality. When we see retail sales slowing down, not only is it, as the retail council said, a result of the shocking withdrawal of money from taxpayers' pockets by the McGuinty Liberals for the health tax, but it's because they have failed to step up and support the farmers, and the farmers are spending less money at retail and many other places. They're not able to provide properly for their own families, and they're not able really to stay in business. Of course that, in and of itself, has a bad impact on the government. It has a huge impact on the dignity and livelihood of farmers and rural Ontario, but it has a negative impact on the government too, because for every item farmers are not buying, for every dollar they are not earning, the government is being denied tax revenues that would come from the taxation of that spending or from the taxation of that income that is earned by the farmers.

Beyond that, beyond the sort of short-term or current crisis being faced by farmers in rural Ontario, the towns are hurting. We can all see that. As we drive through the towns we can see the number of storefronts that are boarded up. There are a variety of factors that are at play in causing that to occur, but there's no question that the crisis facing the farm economy is a big contributor to that.

You would think that, if this was going on, if we have the minister himself saying it's the second biggest industry in the province, employing all kinds of people, tens and tens of thousands if you include the spinoff jobs, this would be something that would be right at the centre of the government's focus, yet we see that with this McGuinty Liberal government not only are agriculture and small-town Ontario not a priority, but they are basically turning their backs on the farmers of this province and turning their backs even more particularly on rural and smaller-town Ontario.

If you just look at one long-term challenge that should be right in front of us, namely, the challenge of our own food sovereignty, which speaks to the question of the health of our farmers and the health of the agricultural industry, but also speaks to our ability down the road in

five years, ten years, 15 years, to make sure we can be growing and using the food that is grown by our own farmers here in Ontario to look after ourselves to the greatest extent possible, there is no plan, even if you put aside the short-term crisis and say they're failing to respond to that. If you said, "They've got a bang-up long-term plan in place to really make sure that five years from now farmers will be prospering and we'll have increased food sovereignty for Ontario"—but there's no short-term program; there is no long-term program; there is no plan of any kind. It's just find new ways to regulate, find new ways to push down expenditures on to farmers who have no money, as a result of programs they dream up over there, and really just forget about any possible commitment you might make to making agriculture, as the resolution refers to, a lead ministry.

A lead ministry? My goodness, I'm surprised we even still have anybody sitting at the table, based on how far things have fallen. I can remember sitting at the cabinet meetings when William Davis was the Premier of this province, and I can tell you, when people spoke up on behalf of rural Ontario—by the way, there were quite a few more of them at the table at that time—the Premier of this province and the other ministers from urban centres in this province listened, and they acted. That's what they did.

From this government and this minister, a staggering 20% cut last year in the budget of the Ministry of Agriculture, and not a peep out of him, and not a peep out of any Liberal members of the Legislature. They are busy out there explaining and apologizing on behalf of the government, "I'm sorry. We're really doing our best here. We're doing more than you think. You don't really understand the numbers," but no one would ever stand up. We haven't heard one of them. With all these canned questions they get up in the Legislature to read, there's not one who ever got up and asked a real, genuine question, with some passion and some emotion, on behalf of the farmers and residents of rural Ontario.

What happens is that you get a series of protests on the front lawn of Queen's Park; they came down here, tens of thousands of farmers. I'll give him his due: The minister was out there to meet those people and listen to them. But unfortunately, I think what we have here is not a minister who doesn't care, but who couldn't go back to the table, after meeting the 10,000 farmers and listening to them, as I'm sure he did, and deliver. When they responded, they responded for a little while with some short-term measures. I was reading a clipping just today about the incredible disappointment people get when they go out to their mailbox, open up the envelope and find a cheque for \$300, which is probably less than the amount they lose on any one third of one cow they try to take to market nowadays if they're a beef producer. That's the kind of thing they produced.

Then you might say, "Well, OK, he had a chance to redeem himself with this past year's budget." What do we find? We find that in fact they're cutting back spending by 23.1%. The minister stood up today and did what



he does so well: He started to speak louder and louder about some of our past budget changes of one kind or another, and he talked about a \$14-million reduction that had taken place one year in the budget. This man should have given credit where credit was due, because he has far surpassed that, by a margin of 10 times this year alone, with a reduction of \$169 million in what this government is going to spend to help the farmers of Ontario this year. He has the temerity to come in here and talk about some past reduction of \$14 million and say that somehow that was behaviour that should be the subject of censure.

I think what's happening here is that it comes from the top. I don't think the Premier is really interested in this. Then you have the finance minister, who said at the time of his budget, "Let's remember that there's a good part of our agricultural industry which is doing quite well and doesn't need the intervention of the government."

I can tell you, I've been making a real effort to get around Ontario, and in particular to focus on spending time in farm communities with groups of farmers, with groups that are in the farm industry, and I'm still looking, aside from some of the people in the supply management areas, for people who want to stand up and say how well they're doing. There are some, but he says "a good part of our agricultural industry." I can tell you, I think that Ron Bonnett and a whole host of other people would take considerable issue with that.

Yet their response was to cut the municipal drainage program, and then, under great duress, to restore it with less money than before—keep pushing through regulations that cost farmers money. They're still waiting for their CAIS funding. Farmer after farmer goes to the mailbox and gets these cheques that are late and small. They cut back the budget of the Ministry of Agriculture by 23.1%, and on and on it goes.

I'm running out of time, but I want to finish on two notes, one of which just has to do with priority-setting. This government obviously had enough muscle at the table that when the time came to divide up the money, they somehow managed to find \$400 million for a swanky casino hotel in Windsor; they found \$400 million of taxpayers' money for that. Yet when it came time this year to look at what was going to be done for farmers, \$169 million of the money that's going to pay for that casino came from money that is not going to be spent to help farmers this year. That's what happened. They have to explain that, not me, because I couldn't possibly, for the life of me, understand how any government, any cabinet, any Minister of Agriculture or any Premier could allow that kind of priority-setting to take place. It's distorted, it's wrong and it can't be allowed to stand. It won't stand, because in 2007, if not before—we're going to work hard in between to fight for farmers and rural communities in Ontario—we're going to change the government and get back to a day when rural Ontario and farmers were respected and listened to in the highest councils of this province. That's what we're going to do.

I want to finish on one final note, which to me says it all again, about priority-setting and so forth. I had a

visit—and I must say that I didn't know about the issue, but I just shook my head again, more in dismay and disappointment than anything. I was at the Perth spring festival—it's a maple syrup festival; I've forgotten the exact name for it—with the member for Lanark—Carleton. We had a very nice time. We were going along all the different booths that were there; there was a farmers' market there. We stopped at one booth, and the woman said to us, "Look, could you help me with something?" She said, "They're now telling me there are inspectors. They're going to come to my farm kitchen and tell me whether it's OK to be making jams and jellies," and all this sort of thing that's been going on for generations in this province.

1530

That is part of what makes Ontario tick, that you have people with a real sense of community. They know who they're buying this stuff from. They know where it's made. It was probably made by the same person's grandmother, in the same kitchen—probably updated but the same physical structure—two generations ago. This government has no time to provide any meaningful help for farmers, no time to develop a meaningful approach, all kinds of time to develop a new so-called municipal partnership program that gouges the property taxpayers of a lot of small towns across this province. But they do have time for their idea of a food sovereignty strategy, to ban fresh sushi and to really crack down on those farm kitchens across Ontario where all these people—like none—are getting into trouble because they're buying jams and jellies from people who have probably been making those things in their kitchens for two or three generations.

I think it's time that we started to see two things. One is some real attention for the plight of farmers, backed up by consistent financial support, consistent support around the cabinet table for the farmers of Ontario. The second is some respect for the people and the values represented in rural Ontario, which are the bedrock values that have guided this province and built this province for many, many years. There was a time when the cities relied on the strength and health and financial vitality of rural Ontario to help them finance all of their expansion and their building of infrastructure. Well, now it's time to have it the other way around.

I think it's time this government woke up, that we had a minister at the table who can actually get something done, who has enough muscle, and I'm not just talking about one minister, but several ministers who will speak up for rural Ontario and get something done. That's why we moved this motion today: to draw some attention to this and to hopefully attract some attention, even just for a minute, from this government.

So I'm very pleased to put those comments on the record and to be joined by so many of my colleagues who care so much not just today, but every single day, about this. The people of rural Ontario know that, and that's why we're going to have a change of government, among many other reasons, in 2007.

**The Acting Speaker:** Further debate?

**Mr. John Wilkinson (Perth–Middlesex):** I am actually quite, quite happy to enter into the debate, because I want to talk about the person I refer to as the \$200-million Minister of Agriculture, the Honourable Steve Peters.

Now, it's very interesting. I find it quite strange that the temporary member for Dufferin–Peel–Wellington–Grey, the temporary rural member in this House, has come in here and said, “Well, you know what? I don't mind borrowing a rural riding, but I can hardly wait to get back to Toronto and represent Toronto.” I give him full credit for saying that that's what he's going to do, but his commitment to rural Ontario is at best transitory, I would say.

What I want to do is talk about our Minister of Agriculture. Now, as I was explaining to my farmers in the Agriculture 101 event and the government relations 101 event that we had in this riding, it's very, very important in an era of fiscal probity that we budget things.

Last year, for example, around this time, the grain and oilseed farmers were experiencing very good prices, so we didn't budget for an extraordinary collapse in the international price of grain and oilseed, but when that happened—something beyond our control, something beyond the control of the Leader of the Opposition, something beyond the control of even the federal government—farmers came to us and said they needed assistance. Now, which government provided that assistance? That would be the Dalton McGuinty government. Whose voice was the one at the cabinet table that convinced other ministers that, yes, money had to come out of the reserve that we'd set aside for these unexpected contingencies? Well, it would have been the Honourable Steve Peters, the Minister of Agriculture.

Last year, he was able to secure from cabinet and his colleagues out of the reserve, with the support of the Minister of Finance, and obviously the support of the Premier, some \$200 million of additional funding that was not budgeted. Now, to me, where I come from in rural Ontario, that's getting the job done for the farmers. The question then becomes, what about the future? What about that future? Well, I think all parties agree—and I know the opposition agrees; both parties agree—that there has been a lack, in my opinion, of that one common vision.

Interestingly enough, I remember when the then Leader of the Opposition—a man who, I might add, has no transitory commitment to rural Ontario—was in my riding and he promised to the farmers that, as Premier, he would institute a Premier's summit on agriculture and food.

I say to the Leader of the Opposition, when the great Bill Davis was the Premier, I don't remember him ever having a summit with the farmers and the food industry in this riding. They weren't there at all. I don't remember Mr. Harris and I don't remember Mr. Eves having a summit for agriculture—

*Interjection.*

**Mr. Wilkinson:** Oh, wait a minute. I think the heir less apparent, the ambitious member from Erie–Lincoln, is saying that when he was in the government, all was well with agriculture, was it? Everything was fine when you were in power?

I think I remember a different history than that. I remember the farmers of my riding coming to me and saying how deeply disappointed they were with a party that they thought, with a base of rural Ontario, would be there for them.

I remember when they were unhappy with the Minister of Agriculture. Let's see, I think they had four Ministers of Agriculture. Who did they have? I'm sure the member will help me out. There was Helen Johns, the former member from Huron–Bruce. She was the last minister. She was defeated by her rural riding; defeated by our member Ms. Mitchell. And who was the member before that? Oh, I think it was Mr. Hardeman, the member from Oxford. There's a rural riding. I remember when they used to call for his head. So everything was good back then and now it's terrible? And who was before that? Well, there was Noble Villeneuve. I remember Noble. He really didn't stick too long as well. And who was that first one? There was Ernie and Helen and Noble and—oh, Brian Coburn, that's it; another member who ended up being a Minister of Agriculture and Food for that government. That was back in the old days, but it seems to me that it's a bit rich for the current government to come in here and to start to lecture us about supporting the farmers.

As always is the case with the Leader of the Opposition, he was very good; he explained to us just recently, when he was speaking, that what we needed to do was reduce taxes but spend more money on agriculture. I'm a certified financial planner, and I don't understand—I'm sure, when he gets back up and speaks about this—how on the one hand he can be talking for tax cuts and on the other hand saying that we should spend more money on agriculture.

As the member from Perth–Middlesex, I agree with spending more money on agriculture. But what's going to be cut? Am I not going to get a new hospital in Listowel because of this? Is there not going to be money for the Rotary respite house? What things have to go to make that happen?

It isn't a matter of taxing and spending. What my farmers have told me is that they want a long-term solution. They're happy that the Premier of the province of Ontario had his inaugural Premier's summit at the urging of our Minister of Agriculture. They're proud of the fact that they finally have a Premier of Ontario who doesn't have a revolving door at the Ministry of Agriculture and, instead, has a long-term commitment to the Ministry of Agriculture and Food. I think that is what is most important. That is what trumps all: that commitment.

Because we're getting ready for next year's summit, what are we doing? Right now, teams of people are going across this province, speaking with farmers about that



need for revision. That's very, very important to me. I think what we have to do is get out of this dynamic of what the things are that we disagree with and talk about the things that we do agree with.

I appreciate the fact that the Leader of the Opposition has brought forward this opposition motion today, because I say, with all respect, that this is exactly what needs to happen in this House. What we have to do is set partisan politics aside, and I say this with all sincerity. We have to go—because we've all had to deal with the agriculture file—and look not at those things that divide us and not those things that divide farmers, but look at those things that unite us and those things that unite farmers. It strikes me, as someone who knows a bit about business, that the best way to build that coalition is not on the things that are divisive but, instead, on the things that unite us.

Talking to my farmers in Perth—Middlesex, we would all agree, and I think all members would agree, that what's important is that we believe this province should be self-sufficient for food. I think we can all agree on that. I see the member from Oxford is nodding his head. I think he would agree with me on that. Self-sufficiency is important. In this age of post-9/11, when borders can be closed by trade action and by threats of terrorism, we need to be able to feed ourselves. That's important.

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I think we all agree on food safety. We all agree on the absolute necessity that we keep our food safe. I say this with great respect, that all farmers believe they are better stewards of the land and have difficulty with regulation. But I look back and say, why do we have regulation of rural Ontario? Why do we have regulation 170? Why did all of these things happen? It was because of a tragic decision made by Premier Harris: When warned by the chief medical officer of health for this province that he should not allow private firms to check water and not be required to tell the local public medical officer of health, that was a mistake that he made.

**Mr. Jeff Leal (Peterborough):** That was the Red Tape Commission.

**Mr. Wilkinson:** That was the Red Tape Commission. That was a mistake that was made, and we have been living with reverberations of that in this province ever since.

When we took over, we had the Nutrient Management Act from the previous government, we had regulation 170 from the previous government, we had a commitment to source water protection from the previous government, and none of those things, I say with great respect, had ever been worked together as one single policy piece. There is but one source of water that we all draw upon. They say in rural Ontario, "You don't foul your own well, and you don't foul your neighbour's well." We understand that in rural Ontario.

One of the things that I know our ministers—my minister, the Minister of the Environment and the Minister of Agriculture and Food—have been struggling with is how to reconcile those things and to implement fully

the O'Connor report which, I might add, all three parties endorsed and agreed to during the election. How do we make that happen in practical terms? That's why I'm so happy that we have a new drinking water regulation to replace regulation 170, which everyone agreed was completely unworkable. This one is much more workable. I think it's important that we set aside the partisanship and we look at those things.

Now, if we go away from regulation and move to stewardship, which is natural—I know we have farmers in this House. I know the member from Lambton—Kent—Middlesex, the member from Chatham—Kent, the member from Oxford and the member from Bruce—Grey—Owen Sound are all farmers, and they would tell all of our parties how stewardship fits a lot better in the culture of agriculture than does regulation, and I notice that. We have to all take a certain amount of responsibility for what has happened in the past and work together to overcome that.

Self-sufficiency in food and stewardship over regulation is important, but the other thing we have to do is embrace the concept of service. That's a challenge that all of our parties have. I welcome the motion from the Leader of the Opposition. We will always disagree about the history, I'm sure, but I think we can work together on more of a non-partisan basis and challenge our farmers, who at times can be deeply divided, to rise above that themselves. We have to set the example in this House. If we can achieve a certain bipartisanship or tripartisanship in this file, I think the farmers of this province will respond.

I want to finish by commending our \$200-million Minister of Agriculture and the great work he did in the last fiscal year.

**Mr. Ernie Hardeman (Oxford):** I'm pleased to rise and speak in support of the motion put forward by our leader, John Tory, calling on the government to show some support for rural Ontario and the rural Ontario way of life.

Since the election, the McGuinty Liberals have been concerned about the lack of support this government has given the agriculture community and rural Ontario. In May 2004, in the Liberal government's first budget they saw fit to remove \$128 million from the Ministry of Agriculture and Food's budget. It was the biggest cut of any ministry. Again this year, the Ministry of Agriculture and Food once again has had its budgets cut by 23.1%. Tell me, is this a government that supports agriculture and rural Ontario? I don't think so.

Let's take a moment and review this. Instead of making agriculture the lead ministry as promised in the Liberal election platform, they've cut the ministry's budget. During the election, Dalton McGuinty promised to work with the farmers and the federal government to ensure a viable new generation of safety nets. But instead, the McGuinty 2004 budget delivered a \$50-million cut to the safety net programs and slashed half a million dollars out of research and technology funding.

Here we are today, and it's the same old story as last year. The CAIS program does not work without compan-

ion programs, and no one in the McGuinty government seems to be listening to farmers. It's sad to say, but the situation hasn't changed since last year. Farmers are in crisis. The Minister of Agriculture has no plan: no short-term plan, no long-term plan, just a proposal that we'll review the options of creating a long-term plan. Beef farmers are still suffering from the May 2003 BSE crisis. Borders are still closed to live cattle. Cattle farmers are still suffering extreme financial hardships. Spinoff industries, processing industries and whole communities are suffering. But the minister thinks funding can be reduced.

There are reasons why our government did not sign the APF. It was because as it stood, it was not a good deal for Ontario's farmers. Minister, nothing changed. You signed it; it's still not a good deal for Ontario's farmers. The CAIS program without companion programs just doesn't work.

The Minister of Agriculture is quoted in Hansard on November 23, 2004, as stating, "As you know, Ontario's agricultural sector is the most diverse in the country ... and these companion programs play an important role in addressing the unique needs of this province's agricultural industry. Securing the continuation of these programs over the short term is a key element in moving us closer to our vision of a strong and sustainable agricultural sector."

Well, Minister, your finance minister obviously doesn't agree that companion programs are important to our farmers. His recent budget definitely tells a different story. With massive cuts to the budget, you are no longer able to sustain support which was invaluable to the farmers of this province: programs such as the market revenue insurance program and the self-directed risk management program, which even you agreed were important to the sustainability of our agriculture community. In fact, it's in black and white in the 2005-06 expenditure report released yesterday, which shows that you dropped support to farmers to \$170 million, down from \$279 million in the last year that we were government.

Minister, it's obvious that the McGuinty Liberals continue to march with an urban agenda. All you have to do is look at page 29 of the budget, where your finance minister cut agriculture by 23.1%—once again, the largest cut of any ministry in the government. I ask you again this year, when is the Minister of Agriculture going to admit that he is at the mercy of his urban colleagues and that he is still powerless to stop his portfolio from being ravaged? I ask, will Premier McGuinty and the Liberal government make OMAF a lead ministry, as they promised, and support the farmers and the rural way of life for the constituents that he and I both represent in the province of Ontario?

**Mr. Ted Chudleigh (Halton):** The borders are still closed to Canadian cattle. We still have a lack of slaughter capacity in this province. Our safety net programs are not working. The fabric of rural Ontario has never been worse, and this government continues to

blame Ottawa; they continue to blame the US; they continue to blame anyone but themselves.

Ontario has one of the most diversified agricultural economies in Canada, and off-the-shelf safety net programs from Ottawa just don't work in this province. We need a made-in-Ontario safety net program.

We should emphasize Ontario's agriculture and food positives. The positives that we have in this province are monumental. We have some of the best gene pools in the world, be it dairy cattle, hogs, chickens or beef. We can track farm products from farm to fork, whether it be livestock, whether it be grain crops—soybeans, corn—or small grains—wheat, oats, barley, rye—or whether it be fruits and vegetables. These are tremendous advantages. Crop protection, whether it be a crop protection process, fertilizers or other additives to agricultural products, can be traced. This is an extremely great advantage in world markets, and this government is not taking advantage of those opportunities.

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Our industry can trace food safety items from farm to fork, which gives us that huge advantage in the agri-food trade. Agri-food trade should be our number one export item after automobiles in this province, and it's not. This government is failing Ontario farmers in that area. They're not taking advantage of those tremendous opportunities.

One of the problems the government has is that it's underfunded. In Ontario, if you go back over the years, traditionally the agricultural budget has been just under 1% of the provincial budget. That has not come to fruition under this government. That would indicate a budget of somewhere in the order of \$800 million for agriculture. That would allow the Ministry of Agriculture and Food to fund a long-term, made-in-Ontario safety net program designed and used by Ontario farmers. Certainly, we have enough experience in the agricultural community to design and operate, within a set budget, a safety net program that would work. It would also allow stable funding for market development and research. Research, I was sad to see, was drastically cut in last year's budget. After all, in every industry research is the future, and if you don't have stable funding for research, you're going to watch an industry in its closing days. Instead of providing the stable funding, you are short-changing agriculture and food. You're short-changing them financially, you're short-changing them politically, you're short-changing them socially and I believe you're short-changing them morally.

**Mrs. Carol Mitchell (Huron-Bruce):** I'm certainly pleased to rise today to support this motion. One of the things I would like to talk about is the relevance in rural communities. That's what the Leader of the Opposition talked about.

In my community of Huron-Bruce, agriculture is the number one industry. So when we talk about the relevance of agriculture in my riding, it is number one. We produce more than four other provinces in my riding alone. We talk about the roots in communities, and my



family has been in a rural community for over seven generations. I'm very pleased to hear that the Leader of the Opposition somehow has found rural communities. I was also in business for over 10 years and certainly have a good understanding that if the agricultural community does not have a good year, neither do our small businesses.

If today's motion is to raise the awareness of what we are going through in the agricultural community today, then I support the motion. But if it's to talk more about the politics in this House—I know this is the House for politics, but I can tell you that that's not what our agricultural community needs. When the Leader of the Opposition talks about how he's found rural communities, well, my family has been there for seven generations.

Rural Ontario is the key to making sure that the province of Ontario is vital. When we talk about what they bring to the table and what they have brought to the table, this is not something that's a passing fancy in my riding. We are the most rural riding in Ontario, and when I hear things about what we have done as a government—we recognize, we respect, we will work and we will continue to work.

I want to make a very clear statement with regard to the agricultural budget of this year. The minister has repeatedly said that there was a \$15-million increase in the budget. There was also reinforcement of the research. I don't know whether or not the members simply don't want to hear it or they simply don't understand the numbers, but let's be clear: The Minister of Agriculture understands the peril of what our agricultural and rural communities are going through. So I do feel that we have to get that on the table right now and have an understanding of it.

I do want to say that tomorrow my private member's bill is about rural communities. I also find it just a little strange in the passing that this opposition day motion looks very much like my private member's bill that I'm doing tomorrow.

**Mr. Dave Levac (Brant):** You should be proud.

**Mrs. Mitchell:** I'm very proud that the Leader of the Opposition supports my private member's bill. I look forward to the leader being in the House tomorrow in support of my private member's bill, because I know that his new-found understanding of our rural communities is something that we look forward to.

**Mr. Leal:** It's all on the road to Damascus.

**Mrs. Mitchell:** That's right.

One of the things that I do want to talk about is, I've heard some of the members of the opposition say that they got things done. As you know, Mr. Speaker, not only do I come from a rural municipality, but I also come from municipal politics within my riding. One of the things that I always felt was one of the most difficult things for our rural communities to overcome was what I call the division of politics. It became one community against another community: "If we fight amongst our communities, then we can get whatever," because that was how they conducted themselves. But, they would argue, they got things done. They did, but they did it at

the cost of our rural communities. They used a cookie-cutter style. It was very, very hard on our communities. There doesn't seem to be an appreciation or an understanding of what we went through. I do find it rather strange that we now stand up and laud the same communities that they tore the heart out of.

When I hear about urban and rural, you know what? We're all one. One party goes ahead too much or the other party goes ahead; we are all the province of Ontario. We, together, need urban as much as urban needs rural. We understand that in our rural communities. We look forward to working with our urban counterparts to build a stronger Ontario, and that stronger Ontario will be a stronger agriculture. What we will do, this government will do, with the help and the assistance of not only the cabinet and the Minister of Agriculture, is continue to strongly support our rural communities, and the challenges that our agricultural community is facing right now will be turned into opportunities through renewables, the bio-economy. That is what we should be talking about today. I can tell you that my agricultural community doesn't appreciate when their challenges and their financial straits that they're in are brought into partisan politics. What they want to know is what we're doing, how we're doing it and how we're going to get there. I can tell the members that that is what they want to hear.

I thank you, Mr. Speaker, for allowing me the opportunity to once again voice the concerns of the rural community, and to congratulate and be proud of the members of government for the work that we will continue to do to strengthen our rural communities.

**Mr. John Yakubski (Renfrew-Nipissing-Pembroke):** I'm pleased today to speak to the opposition day motion by my leader, "That the Legislative Assembly calls upon the government,

"To recognize and endorse the fiscal and social value of Ontario's agricultural industry and the rural way of life that surrounds it..."

I want to respond a little bit to the member for Huron-Bruce talking about partisan politics and politicking here about the agricultural community. I'd like her to rewind a little bit to the election of 2003 and ask her if she used any partisan politicking when she was campaigning for the seat. I hardly think so. In fact, that's what we do. We do politick, because we believe we have another way and a better way of helping farmers in this province and the people in rural Ontario.

As for my leader, Mr. Tory, I can tell you that in the last three months he has been in my riding of Renfrew-Nipissing-Pembroke twice—not once; twice—to meet with rural stakeholders and rural people to try to forge some kind of understanding about where we need to go in this province to help farmers and rural people, because this government has again turned a blind eye to rural Ontario. My leader, Mr. Tory, won't be doing that, and you can count on it.

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I will be meeting with a group of people tomorrow evening at St. Mary's church in Wilno, who have put

together a document that I have sent to all the members of this House, to talk about all the problems that rural Ontario is facing, in particular the problems that are being faced in my riding of Renfrew–Nipissing–Pembroke, my county of Renfrew.

One of the biggest problems they have is that their incomes are so much lower than people elsewhere in the province. People in metro Toronto have an average income of \$40,000; people in my riding have an average income of about \$20,000. You can imagine the pressure that puts on them when hydro costs are going up—hydro rates have gone up about 35% under this government, when they promised they would freeze rates through 2006. They've been hit with a health tax. The Ontario municipal partnership fund, which they on the other side of the House have talked so glowingly about—under close examination, we find that municipalities in my riding are going to be hurt very significantly by that plan as we go forward to 2007. So it's not a plan that the party across the floor likes to brag about.

Again, I want to refer to the member from Huron–Bruce. She chastises us for politicking, yet she's bringing in a private member's bill tomorrow that celebrates agriculture in the province of Ontario with a special day, June 21. I commend her for that. I think it's laudable that she's doing it. But don't compare that to the steps Mr. Tory has taken to try to help rural or agricultural people in the province, or, in fact, my own private member's bill.

I suppose I can count on the member and many of her colleagues, when I hear that speech today, to support my private member's bill, which actually does something for people in rural Ontario, which is to extend the gas tax rebate to all municipalities in Ontario so that rural people can benefit from that fund, as well as people who live in municipalities that have public or rapid transit systems. That is real help for people in rural Ontario, not some namby-pamby "How are you doing? We love you" bill that is going to be tabled in the House tomorrow. That's real help for people in Ontario.

Also, my colleague Norm Sterling's bill—Bill 187, I believe—which is to establish a special fund for eastern Ontario, similar to the northern Ontario fund that helps people who are in economically disadvantaged areas: Everyone will recognize that eastern Ontario does not enjoy the same kind of economic advantages that other parts of this province do. This government has an opportunity to support those two bills, which will go a long way to helping people in rural Ontario reach and achieve the goals they have for their families and their lives.

One of the other problems facing rural Ontario is depopulation. Everything this government does is directed toward depopulating rural Ontario. How is rural Ontario supposed to become more self-sufficient and able to be more self-determined if it is being continuously depopulated by government policies? If you don't have people, you can't build an economy. Rural Ontario economies are suffering from a lack—the municipalities don't have the assessment, and what does this govern-

ment do? It brings in more impediments to development in rural Ontario.

My time is up. We could go on for a little bit more, but thank you very much.

**Mr. Howard Hampton (Kenora–Rainy River):** I'm pleased to participate in this debate, because I think there are a number of questions that need to be asked, a number of issues that need to be raised and, frankly, some solutions need to be offered.

I first of all want to focus on what the McGuinty government promised people before the election, because part of what this Legislature is about is holding the government accountable. Before the election, the Premier was heard to say, "The Harris-Eves government has completely ignored the needs of our province's rural communities. It has downloaded unfair financial burdens on to rural municipalities.... We will give rural communities a voice and provide them with stable funding so that they can chart their own course."

Another promise: "We will make research work for Ontario farmers." Another promise: "We will consult with the industry. The Harris-Eves government has done little meaningful consultation with farmers on issues that directly affect them. We will listen to Ontario farmers and get their best advice." Then another promise: the promise to make the Ministry of Agriculture into a lead ministry which would have a say, an important say, a leading say, on the issues that affect farmers and on the issues that affect people living in rural Ontario generally.

Now we're into the second year of government and I think it's only proper to look at whether or not the government has fulfilled these promises, whether or not Premier McGuinty has lived up to his word.

The first issue that I guess I'd want to focus on is, is the Ministry of Agriculture a lead ministry? The best way to look at that is to look at what's happening in the Ministry of Agriculture. If I turn to the government's budget—and this is a good way to see if a ministry is in fact becoming a lead ministry or if they're not a lead ministry. One of the things the government does in its budget—and I found it interesting that they would actually boast about this. The government actually boasts about a number of ministries that have had their budgets cut. It boasts about ministries that have had their budgets reduced. In the McGuinty government's own budget, this year, in 2005, the McGuinty government boasts that they've cut the operating budget of the Ministry of Agriculture and Food by \$169 million, that they've cut the Ministry of Agriculture and Food's budget by 23%. So I say to myself, how does a ministry become a lead ministry when you're taking away a quarter of its budget? How does a ministry become a lead ministry when you're literally taking \$169 million out of its operating funding? I think that is a question that Premier McGuinty will have to answer.

But what I find really astounding is that the government in its budget actually boasts about this, boasts that it's doing something positive, something good for farmers by cutting the Ministry of Agriculture and Food's budget by 23%. That's the first test: Is the Ministry of Agriculture and Food becoming a lead ministry?



One of the other tests, as those of us who have been around here for a while all know, if you're a lead ministry, you get put on the important cabinet committees. If you're a lead ministry, you're included in the important cabinet committees where the big decisions are really made. One of the tests is, is the minister on the priorities and planning committee of cabinet? That's where the very big decisions are made. Is the Minister of Agriculture on the priorities and planning board of cabinet in the McGuinty government? No. Not now, not anywhere over the last two years. So for the really important decisions, which are made at the priorities and planning board of cabinet, the decisions about which ministries are going to be funded and which ministries will be cut, which ministries are central to the government's plan, central to the government's strategy, the Minister of Agriculture, Food and Rural Affairs is nowhere near that decision-making, is not included in that decision-making whatsoever.

I think people across rural Ontario will have to make their own decision on this. Is the Ministry of Agriculture, Food and Rural Affairs a lead ministry under the McGuinty government? It's pretty hard to argue that, when it's taken a 23% budget cut in this budget alone, and the McGuinty government is boasting about that. It's pretty hard to argue that it's a lead ministry when the minister isn't on the Priorities and Planning Board of cabinet; in fact, isn't anywhere near the Priorities and Planning Board of cabinet.

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Now I want to look at some of the other promises that were made. I agree, the former Conservative government downloaded all kinds of costs on to rural communities. Rural communities were suddenly hit with the costs of land ambulance, and land ambulance is becoming very expensive. Rural communities were suddenly hit with the costs of rural policing. It used to be that policing was covered by general provincial revenues, by the income tax. But, I gather, along with those much-boasted-about tax cuts came the downloading of the cost of policing on to rural municipalities. Then there was the cost of sewer and water, and more of the costs of roads and bridges. All of those things were downloaded under the Conservative government.

Has the McGuinty government done anything to unload those things? Has it done anything to balance those things out? The government wants to boast that in their new municipal partnership program it's somehow going to be better for municipalities. But I've had municipality after municipality write to me and point out that under this so-called new municipal partnership fund, they are covering more of the cost of land ambulance than ever. Instead of reversing the downloading, the McGuinty government is actually increasing it. Rural municipalities are covering more of the cost of policing than ever. Instead of reversing the downloading of policing costs, rural municipalities are picking up more of those than ever.

Social assistance: Is the downloading of social assistance costs being reversed? Not when I talk to rural muni-

cipalities. They say it's going to be greater. In fact, there are rural municipalities that are actually thinking about taking the keys to the municipal office and sending them to the Premier, saying, "If you want to continue to download on us, then you come here and run this, because you're putting us in a financially unsustainable situation. We don't have the tax base to provide land ambulance, we don't have the tax base to cover policing costs, we don't have the tax base for social assistance, and we don't have the tax base for roads and bridges that have all been downloaded."

So I come to that promise. Has the McGuinty government kept that promise? On the objective evidence, no, they haven't. In fact, the downloading is becoming worse—much worse.

Then there is the next promise: "We will make research work for Ontario farmers." I look around the province to find evidence of new research, of new science being brought to bear in terms of Ontario's agricultural sector. One of the things that jumps out at you is that a lot of work has been done over about the last 20 years to make genetic improvements in Ontario's dairy and beef herds, and swine improvement. There were actual strategies put in place, co-operatively between the government and farmers and universities and other research institutes, to establish the Ontario dairy herd improvement program. A lot of this was genetic research. It was, how can we improve the genetic stock of Ontario's herds through genetic research and through doing the follow-up implementation of the knowledge following that research? This was very good work. Anyone who watched the improvement in our beef herds, who watched the improvements in dairy herds, who watched the improvements in our swine herds was very impressed. In fact, international bodies were coming here to Ontario and saying, "This is the right thing to do. This is really smart investment in research."

What has the McGuinty government done? Instead of investing in new research, they have essentially cut the money that was being invested in this kind of research. For example, the Ontario Dairy Herd Improvement Corp has had \$1.5 million cut by the McGuinty government. Beef Improvement Ontario, BIO, had a \$1-million cut from the McGuinty government. The Ontario swine improvement strategy has had to absorb a cut of over \$500,000. On the objective evidence, is there this dedication to research? On the objective evidence, no. In fact, the McGuinty government is cutting some of the good, positive, productive research work that was already being done.

Next, I want to go to this promise to consult with the industry, to consult with farmers on issues that directly affect them. I have asked some questions of a number of commodity groups. I have asked some questions of the Ontario Federation of Agriculture and of other leadership groups in the farm sector. Were they consulted about this 23% cut to the budget of the Ministry of Agriculture and Food? Were they consulted about this \$169-million cut to the budget of the ministry? Were they consulted about

these cuts to dairy herd improvement? Were they consulted about the proposed cuts to beef improvement? Were they consulted about the proposed cuts to swine improvement?

Do you know the response I got? The response on every one of the issues was no, no consultations whatsoever. In many cases, farm groups and the leadership in the farm community did not even find out directly from the minister or the minister's office when things were being done. They read about it the next day in the media. Not only was there no consultation, but there wasn't even the diplomacy, the politeness, to get on the phone and say, "We have some bad news, something we want to tell you now because it's the right thing to do, the proper thing to do, the diplomatic thing to do. We want to tell you that this is happening." Even that wasn't done. Leaders in the farm community found out about these things the next day in the media. People from the media would be calling them saying, "What do you think about this cut to beef improvement?" "What do you think about this cut to swine improvement?" What do you think about this cut to dairy herd improvement? Farmers were literally taken by surprise.

So it is with the \$169-million cut to the ministry's budget as well. Farmers found out by surprise. There was no consultation, no discussion, not even notice that this may be happening. Has the promise to consult been kept? On the objective evidence, I think it's anything but consultation.

I want to talk a bit about how serious the situation is out there, because we need to recognize how serious the situation is. Currently some would want to believe that really the problem, the crisis, is only with the beef sector. Because of the BSE crisis and the closure of the American border, and now the attempt by powerful interests in the United States to keep the border closed to Canadian beef, there are some who want to believe that it is really only a beef question. It is not just a problem, a crisis, for the beef sector of the farm economy. It is much more widespread than that. It is very serious for the beef sector, but it's much more widespread than that.

I want to speak anecdotally for a minute on behalf of the farmers in my constituency. There are farmers in the south who happen to believe that not much farming happens in northern Ontario, or in my case, northwestern Ontario. I want to disabuse people of that myth. In fact, there are hundreds of families, there are thousands of individuals, there are several communities where farming is the economic activity.

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In my constituency, for example, there are literally hundreds of beef farmers, some grain farmers, farmers raising elk and bison, and there are farmers engaged in beekeeping, in market vegetables and in grains and oilseeds.

So this is not just a southwestern Ontario or south central Ontario question; this is a question for all of Ontario—the northeast, the north central, the northwest, eastern Ontario, southwestern Ontario, central Ontario.

There are literally thousands of communities that are suffering and that are at great economic risk as a result of the crisis in farming.

When you talk to many of these families, when you talk to many of these farmers, it is amazing what they will do to struggle to hang on. It is incredible the amount of work that they will do off the farm, in terms of finding paying work off the farm, in an attempt to subsidize the farm and continue farming.

I just want to outline exactly how serious the problem is. I want to be fair to the McGuinty government. This is not a problem that suddenly cropped up; this is a long-standing problem. But the McGuinty government will be judged, I submit, on the degree to which they have a plan, a strategy, to respond.

This is a study that was handed out by the Ontario Federation of Agriculture, called *The Farmer's Share*. Look at what percentage of food price increases are going to farmers and what percentage of food price increases are going elsewhere in the chain. What is very interesting is if you compare the increase in retail food prices from 1981 to 2003 and then compare the share that farmers get.

Just a few numbers: The retail price of beef in our stores, for example, has increased by \$5.67 per kilogram, while the farm price of beef has increased by only 14 cents per kilogram from 1981 to 2003. Imagine that. If you go to your supermarket and you buy beef products, on average you are paying \$5.67 more per kilogram than you were paying about 20 years ago, but the farmer is only getting 14 cents more per kilogram over that 20-year period.

What that says to me is those farmers who are still in business must be awfully efficient, they must be incredibly efficient, because their price increase for what they are doing, the price that they get for what they are doing, hasn't even kept pace with the rate of inflation, is nowhere near the rate of inflation, yet the price of beef in the store has gone up incredibly. Obviously somebody else in this system or somebody else in the chain is making a fair amount of money, but it's certainly not the farmers.

There was some illustration of how big this problem is, I believe, by some of the events that happened in Alberta about a year ago, where it was discovered that federal money and provincial money in Alberta that had supposedly gone to help beef farmers didn't end up in the pockets of beef farmers at all. Almost all of that money wound up in the pockets of the two or three big packing houses, the two or three big slaughterhouses, all of which are American-owned, as I understand it. They are American companies that simply set up a couple of slaughterhouses in that province. I think it illustrates how serious this problem is: While the price of beef may go up substantially, the price that farmers are getting is not going up.

The study shows that the same thing is true for farmers raising pork, the same thing is true for farmers raising corn and the same thing is true for farmers raising grain.



While the price in the supermarket may have gone up, the price that farmers are actually getting at the farm gate either hasn't gone up at all, or in some cases has actually declined. I think we would all admit that if that situation continues, we're not going to have many farmers left. You can't continue to raise the costs of production, you can't continue to download on them as taxpayers—download the cost of land ambulance, of policing, of roads and bridges—yet they're not getting any more money for their product. That can't continue.

As a result, what I hear farmers saying—I think this is the real issue here today—is, “Look, there need to be some changes.” There need to be some changes in how we regard and how the government responds to the needs of farmers. There needs to be some response from the government in terms of a strategy, a plan. I look for a plan from the McGuinty government in terms of agriculture and food. I look for a plan; I look for a strategy.

What farmers are telling me is that what they see from this government in terms of a strategy is that from time to time there may be a little bit of bailout money that creates a headline in the paper for a day or so, a little bit of bailout money that gives the government or the minister a couple of days of good press and allows farmers to keep the bankers and creditors away from the door for another two or three months, but the farmers are saying, “This is not a plan.” That's not a plan. It may be a media strategy by the government, it may be a public relations strategy by the government, but it's certainly not a plan for farmers.

Farmers have put forward some ideas to this government. What they point to is that, by and large, if you look at farmers in Quebec, there's a plan, a formula whereby farmers in Quebec at least get their cost of production. They're guaranteed a price that at least covers their cost of production so that they know at the beginning of the year, they know throughout the year, more or less what they're going to get for their product, whether their product is wheat or other grains or oil seeds or beef etc. Farmers are saying that's the sort of thing we need here in Ontario. We need a strategy that provides for farmers the long-term costs of production. Whether this is done through an insurance system, whether this is done in some other way, I think farmers are willing to negotiate, consult and discuss, but they're saying that unless that happens, this is going to become increasingly difficult.

It's interesting when you actually look at what Ontario farmers are having to compete against. Corn, for example: I've heard, and I know the minister has heard, from a lot of corn producers across the province who say, “Here is our cost of production, but this is the price we're getting. The price we're getting is below our cost of production. In fact, the price we're getting is \$2 per tonne below previous historical low prices for corn.” They're saying that forward prices for corn, looking at the futures and so on, are trading at about 34% below an Ontario farmer's cost of production for corn.

They point, for example, to corn producers in Michigan, in Ohio, in Indiana, and they say, “These peo-

ple are all getting huge subsidies from the federal government in the United States, so they can afford to sell their corn at very cheap prices.” They can afford to sell their corn at very cheap prices because of the huge subsidy the government there is providing. I don't hear Ontario corn producers calling for a huge subsidy. They simply say, “We at least need help with our costs of production.”

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Something else they'd like help with: They've heard the Premier go to southwestern Ontario, they've heard the Premier go elsewhere in Ontario and talk about biodiesel, talk about his strategy for gasohol, using corn to produce alcohol and putting it in gasoline; they've heard the Premier say that this is going to guarantee better times for all Ontario corn producers, and they were very hopeful when they heard that. But what they're discovering is that the gasohol plants are to a large extent using that American subsidized corn. They point out that in many cases the American subsidized corn comes across the border, then sits in an elevator in Ontario for a while and—I don't think it's a magical process but something akin to it—can then be described as Ontario-sourced corn. Obviously, they object to this. They find that very offensive.

As I've said to the minister before, I was visited by a number of corn producers from southwestern Ontario who produce corn within—gee, they can see the gasohol plant in southwestern Ontario from their farm. They're going broke and are having trouble selling their corn while they see corn that was grown in Michigan and Ohio, subsidized corn, being used in that plant every day. They're asking, “Can't something be done about this?” If Premier McGuinty is going to boast about this, can't something be done to ensure that it's Ontario corn that is the source for this kind of production and the source for this gasohol?

One of the things we need to hear from this government today is, what is going to be done? What's going to be done in the short term? What's going to be done in the long term?

I want to raise just a few other issues now, because I think they need to be raised. We need to hear from the minister; we need to hear from government members on this. As I said, there is no income stabilization program for corn and oilseed farmers to replace the expired market revenue insurance program. There doesn't seem to be an income stabilization strategy whatsoever for corn and oilseed farmers. There is no new funding to help farmers comply with the nutrient management program. The estimated implementation cost is \$72 million, but the government has allotted only \$20 million for implementation assistance. I think in most people's arithmetic that would amount to another \$52-million of downloading by the McGuinty government. There is no change in the land transfer tax to help young farmers. There is no provincial funding to match the \$180 million in federal money announced in March for the decimated livestock sector. There is no \$12 million for the extension of the

fruit and vegetable producers' self-directed risk management program. These are all things that have been raised by farm groups and farmers, saying to the government, "This is what you need to do if you really are interested in responding to this farm crisis, if you really are going to live up to the promises you made before the election."

What I'd like to hear from this government is, where is the strategy, where is the plan and where are the itemized sections of this plan: the plan for beef, the plan for grain and cereals and oilseeds, the plan in terms of some guarantee of the cost of production? Where is the plan, going forward? Where is the strategy, going forward, to ensure that Ontario farmers will be able to continue to live on the land, to produce, and that rural communities will be sustainable? That's what I really want to hear here today, and I'm hopeful that we're going to hear some answers from the minister and from some of the government members.

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** It's my pleasure today to be able to speak on this motion put forward by our leader. I think it is timely, because the government of the day has forgotten about rural Ontario. Many things have happened, and they just seem to have forgotten about us.

I think I can talk about rural Ontario, because I come from a riding that has the most production of beef, sheep and apples. Mr. Chudleigh in front of me might sometimes dispute the apple thing, but we are one of the largest apple producers in Ontario.

Do you know something? The government has forgotten about rural Ontario. And the thing that really bothers me is that the members who come from rural Ontario who have been elected as Liberals have forgotten about us too. I know it comes out of the Premier's office; there's no doubt. I don't see any change with this government than when we were there and when the NDP was there. I've sat through all three parties being the government, and unfortunately, everything is run out of the Premier's office. So there's no sense worrying about what happened in the past.

Here we are today, with a Liberal government, with a Premier who probably doesn't even know what rural Ontario means, and that's the unfortunate part. If you look at the members he has along the front row, they don't know either, other than maybe the minister from St. Catharines, and he's been around here for a long time. If you look at the ministers, they've forgotten about rural Ontario. We do have a Minister of Agriculture, and I think that man tries. He's been to my riding sometimes, and he's always asked me to come with him, not like some of the other ministers, I must tell you.

In the past few weeks, we've had many announcements in my riding, and they totally forgot about us—never told us. The morning of, they might phone, if they feel like it, and say, "We're going to put some money into your riding," but they forgot to let us know. This is unfortunate, because they were the party that was going to change things. I feel sorry for the Minister of Agriculture over there, because I do think he tries his best.

But when he gets to the cabinet table, they look at him and say, "Who's that guy at the end? Where does he come from? Oh, he represents agriculture. Well, let's cut that. Let's take away money there." You know what they did to him in the budget. They pretty well took away everything he had in the budget.

He tries and does the best he can, but unfortunately, we have a government in power today that has forgotten about rural Ontario. That is really unfortunate because, as one of the Liberal speakers said today, it is the engine that drives the economy. The economy depends on agriculture, but the government says, "We don't need to depend on them." Unfortunately, they've let it slide and slide, and it gets worse.

Even the grants they've put forward—they've changed the system; it was supposed to be better. Let me tell you what some of the people said in Grey county council: "It's totally unfair and unacceptable," said Delton Becker, the mayor of West Grey, "It's a disaster for rural Ontario. They've totally overlooked the forest incentive program, the wetlands and the farm tax rebate. This is not right. It cannot be allowed to continue." That's a mayor up in our area talking about this government and how they treat us in rural Ontario. Unfortunately, as I said before, they seem to have forgotten about rural Ontario. This is a large urban government, no doubt, and that's the way they've set their policies.

Mr. Speaker, I know you're from the city, and that may make you pleased. But I'm sure that you would be concerned about rural Ontario also, because when the farmers don't have any money, there are a lot of other people who don't have any money because they rely on the farmer to spend the money. As I'm say, our area is the biggest producing area in beef and sheep in Ontario, along with apples. Those are farm products. I'm totally flabbergasted at why this government has let us down: broken promises everywhere, a lot of them broken promises to rural Ontario. It's really unfortunate that you've done that to us.

The other thing is, when something does go wrong, they're still blaming past governments. They're still even blaming the Bob Rae government. They have been the government for almost two years now. They've got to figure out that they're the government, and they've got to make some decisions on their own and take the blame when it happens. But no, they don't seem to want to do that.

I'm just glad to be able to have a few minutes here to talk about this and tell you that I'm really concerned as to where the rural members have gone in the Liberal Party. They've left us. They've gone to the large urban centres. They've come here to Toronto and said, "I don't even remember where rural Ontario is." I wonder if some ever go back to their ridings, the way they've let us down and just forgotten about us in rural Ontario.

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This is a timely motion, I'm sure they'll all vote for it. The media said, "What does that mean?" Well, unfortunately, I'm afraid this government hasn't listened until



now, and I don't think they're going to listen. But we have to keep pushing and pushing, and as a rural member over here, I'll keep doing that. I'll even offer, as I have before, my help to the Minister of Agriculture and Food on any items that he has to help us out. I certainly will work with him to try to make it better for Ontario.

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** I have the privilege of speaking to this motion from the perspective of, firstly, a rural MPP and the rural parliamentary assistant to the Minister of Municipal Affairs. I'm the rural caucus chair, I'm a farm woman and I'm a lifelong resident of rural Ontario.

From day one, our government has been committed to Ontario's rural communities. And I want to acknowledge my caucus colleagues—Ministers John Gerretsen, Steve Peters and Rick Bartolucci—for all their hard work in making the priorities of rural communities known throughout Ontario as a priority of this government. And yes, northern Ontario is part of rural Ontario. As the rural parliamentary assistant to the Minister of Municipal Affairs and Housing, my work is dedicated to rural communities, businesses, associations and residents. I can say with certainty that over the last two years we have made real, positive change in rural Ontario. I see the proof of that every time I visit this province's wonderful cities, towns, villages and rural communities. I hear it from my colleagues in the rural caucus. And as MPP for Lambton-Kent-Middlesex and a lifelong farmer, I understand the current challenges of rural Ontario and what they are facing, particularly in the agriculture industry. These challenges are not isolated, nor can they be solved with quick-fix solutions. I can assure you that the province is working with municipalities, with the federal government, with the Association of Municipalities of Ontario and others to deliver sustainable, long-term solutions that will strengthen our rural communities and maintain a quality of life that is second to none.

In November of last year, we launched Ontario's rural plan. Our plan is built on rural Ontario's strengths, which include committed people, diverse economic opportunities, unrivalled natural resources and a solid sense of community, things that we are all proud of. This government is a strong believer in local leadership and local government. We believe in enabling municipal governments to make their own decisions and give them a say in ours. Three priorities are defined in the rural plan—ones that matter most to Ontarians. They include strong people and a strong economy, better health, and success for students. This is what we heard as we went about the province doing our consultations on this plan. This plan supports our government's vision to give rural Ontarians a real voice in strengthening their communities, and Ministers Gerretsen, Peters and Bartolucci are making sure that this voice is heard in Queen's Park and in cabinet.

One of the key initiatives of the rural plan is the Canada-Ontario municipal rural infrastructure fund. Through COMRIF, we have set a new benchmark in collaboration between the province, the federal government and municipalities through AMO. This program is

expected to stimulate up to \$900 million in infrastructure investments over five years to help meet local priorities in rural Ontario. COMRIF is a terrific initiative based on understanding that good, modern infrastructure is key to ensuring strong, healthy and safe communities. It is important to attract investment to rural Ontario and provide residents with excellent services and a high quality of life. COMRIF addresses the infrastructure priorities of our small urban centres and rural communities. Those priorities include safe, clean drinking water for our residents, sewage and waste disposal that doesn't endanger the environment, and improving the condition of roads and bridges. Recently, COMRIF reached another milestone with announcements of funding under the first intake of that initiative. Through the first phase of COMRIF, we'll be improving the public infrastructure of 120 cities, towns, villages and rural areas.

Rural Ontario is the foundation of this province and will continue to play a critical role in Ontario's future. Our government is working with rural municipalities and communities to build more dynamic, diverse and sustainable economies through initiatives such as the rural economic development program, or RED, as we know it. RED has funded many worthwhile projects that will benefit rural communities and add to their prosperity: innovative projects such as Lynn Cattle's energy from manure project or Dryden's downtown improvement project. All of these are intended to reverse the depopulation that others seem to feel is happening in rural Ontario. We are working with Ontario's municipalities on their long-term planning needs by reforming Ontario's planning system through improvements to the provincial policy statement and the Strong Communities Act.

Our greenbelt plan will protect 1.8 million acres of environmentally sensitive land and prime agricultural areas around the Golden Horseshoe. We are particularly proud of this. We are also helping to meet the needs of rural communities through the Ontario municipal partnership fund. This new fund is fairer and more transparent funding than the community reinvestment fund that it replaced.

Before I conclude my remarks, I would like to return to the concern expressed for agriculture in the motion by the opposition. As a farm woman, I will be supporting this motion, but I am worried about the Leader of the Opposition's lack of knowledge about the nature of the industry. Shortly after our government presented our budget last month, the Leader of the Opposition was quoted in the *London Free Press* as chastising our Minister of Finance for saying that there are farmers who are doing well. He repeated that comment here today. The member for Dufferin-Peel-Wellington-Grey told the press at that time that he had met with many farmers, but with none who were doing well.

As the government, we recognize that the crisis in agriculture is not over, but as everyone knows and understands in farming, and as all of us who are farmers will tell you, a snapshot taken at any one point in time will show that there are always farmers who are strug-

gling with their commodities and those who are doing well. This is the nature of agriculture. Were it not for BSE, most beef producers would find that the current low cost of feed makes livestock production a reasonably profitable endeavour. This, unfortunately, comes at the expense of grains and oilseed producers, who watched commodity prices plummet last fall. That has always been the nature of farming. This will reverse itself at some point. Grains and oilseed prices will again move upward, livestock prices will move down, and with it, prosperity or lack thereof.

1650

Before globalization forced agriculture to expand and specialize, farmers would either drive or walk their crops off their farms. By that, I mean we either sold the grain directly into the marketplace or, if prices were bad, we'd feed it to our livestock and then sell the livestock. This practice recognized the reality of the reversing fortunes in agriculture. While the grains and oilseed crisis continues today, many of our livestock producers have had a good year.

Then there are farmers like my husband, René, and I, who have invested in supply management. In my opinion, supply management is the foundation of food sovereignty. As broiler producers, we've had a good year, and we have prospered. It wasn't always that way, but we accept the risk of that as part of our decision-making and choices that we make as farmers, and we work to manage that risk. As farmers, we stand together during a crisis, and we are proud of it. I find it hard to believe that the Leader of the Opposition hasn't met with farmers who are doing well.

The government has made its agenda clear. We want Ontarians to be healthy, to have opportunities for education and training, and to have the opportunity to contribute to a growing, modern rural economy. By working together in strong partnership, we can build strong communities and prove to our citizens that we have a quality of life in rural Ontario that is second to none.

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today to speak on the motion made by John Tory, our leader, calling on the government to "support and endorse the historical and traditional values of Ontario's rural communities and commit to ensuring that government legislation, regulation and enforcement do not undermine these traditions and values."

The member for Lambton–Kent–Middlesex, who just spoke, said that educating people on the true value of farming and what it does in our province is important. I have a local dairy farmer in my riding, Mr. Lloyd Wicks, who would always say, "Until people have to eat their carpet, they do not know the true value of what farmers give to this province and this country."

As a member who represents a riding with many rural communities, I can tell you that so far in its mandate the government has not been treating rural Ontario with respect at all. In the election materials that the Liberal members were using in their offices, they said they

would make agriculture a lead ministry. In the first budget, they slashed 20% from agriculture. The last budget, just a month ago, \$169 million was slashed.

The headlines in my local papers: "Farmers Angered," "Budget Called Embarrassing," "Budget Once Again Glanced Over Rural Ontario," "Budget Bad News for Farmers in the City of Kawartha Lakes." That is what it has done. That is why 10,000 farmers came to Queen's Park to protest on the lawns. They find themselves in a desperate situation, and they need the government to listen.

The rural communities in our province are suffering because of a myriad of decisions that the Liberals have made. They're putting farmers' livelihoods in jeopardy and other residents in jeopardy. There's no clear process for the CAIS program; it's absolutely dysfunctional.

The litany of decisions made by this Liberal government have hurt the farmers: municipal outlet drainage program removed, funding to genetic research programs removed, they've dragged their feet on providing BSE funding to farmers; increased taxes; hydro rates are going up, increased red tape. They've even sent the jam police out to the farmers' markets. All this while decreasing services to rural Ontario.

Again, we are experiencing an agriculture crisis. They've taken a toll on the communities throughout my riding of Haliburton–Victoria–Brock that I see first-hand every day. Farmers: Put money in their pockets; they spend it in their communities. Every time you go into a small rural community, they are not having good economic times because the farmers are suffering.

I have lots of letters. David Love from Burnt River: "I regret having to do this, but the economic realities are overwhelming. The lack of servicing to rural areas has become an issue of the day. I will have to leave farming."

"If we don't stop this trend, our farmers leaving, critical mass will soon be lost in terms of the number of producers required to maintain the infrastructure so that not only the dairy industry but the whole rural economy functions well. The disturbing thing about this trend is that dairy production is shifting to far more expensive land in areas that are not as conducive to growing alfalfa, the staple of dairy feed."

This is the letter—

**Mr. Leal:** Is that Lloyd Wicks?

**Ms. Scott:** Yes. Lloyd Wicks—whom the member from Peterborough knows, because our farmers are out there—from farm implement machinery. "I will have to go out of business. People are not spending money."

From a farm implement dealer in Lindsay: "I've had to lay off half of my staff. We've come to realize that farm business in this area of central Ontario"—this is in Lindsay now—"is declining. We have no new farmers moving in. The farms that come for sale are being sold to people who are moving in from the city."

The Minister of Agriculture has spouted platitudes about Ontario and Ontario products, and he's right: We need to buy more Ontario products. But farmers are going out of business in the city of Kawartha Lakes, the



third-largest agricultural employer in the province, with 9,636 full-time employees and 5,831 part-time employees in farm labour, and farms located all through my riding: Peterborough county, Haliburton county, Kawartha Lakes—

**Mr. John O'Toole (Durham):** What about Durham?

**Ms. Scott:**—really close to my neighbour in Durham here. We cross over. Lots of farm families have farms in both of our ridings.

Farming matters. The health of Ontario is dependent on the health of rural Ontario. I hope that everyone supports this motion here today. That's all the time I have to speak.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr. Speaker: I believe we have unanimous consent to move a motion without notice related to this afternoon's sitting.

*Interjection.*

**Hon. Mr. Caplan:** No. Take it off my time. Stop the clock.

**The Acting Speaker:** I think that's only fair. This is a government opposition day, so if you're seeking unanimous consent, you want it on your time.

**Hon. Mr. Caplan:** That's fine.

**The Acting Speaker:** All right. Let's hear it.

**Hon. Mr. Caplan:** Thank you, Speaker, I move that notwithstanding standing order 9(a), the House may continue to meet past 6 p.m. today, following conclusion of proceedings on opposition day number 5, for the purpose of considering Bills 133, 155 and 169.

**The Acting Speaker:** Is there unanimous consent? Carried.

Back to the debate: Further debate?

**Mrs. Julia Munro (York North):** I'm very pleased to be able—

**Mr. Chudleigh:** On a point of order, Mr. Speaker: I believe we had about 12 minutes on the clock.

**Mrs. Munro:** I don't think so.

**The Acting Speaker:** If I could seek some guidance from the Clerk: Were there indeed 12 minutes on the clock? I would ask, then, that the clerks add an extra two minutes to what is there to bring it back close to the time. Thank you.

The member from York North.

**Mrs. Munro:** I'm very pleased to be able to join in this opposition day motion today. I think many of us on this side have recognized the importance of the ideas that are inherent in the motion. I think particularly of the part of the motion that talks about "historical and traditional values of Ontario's rural communities." I think back to a point in time when, as a member of the previous government, I was named to the rural economic task force. This task force was charged with the responsibility of looking at the drivers of a strong economy in rural Ontario. There were a number of recommendations that were made, many of which were acted upon, as a result of a government that listened, that wanted to hear from those people in small-town and rural Ontario. As a result of listening to them, we made a presentation to the then

Premier, and the information that we took to him from this task force allowed the government of the day to act on it.

**1700**

I think there are some important lessons that we can draw from that. One of the first things was the importance of infrastructure and recognizing that in rural and small-town Ontario things like communications and highways, as well as municipal investments, are key things in terms of infrastructure.

Let me just speak for a moment about the question of highways, as an example. Certainly the announcement around the studies to go to the mid-peninsula highway is one example; the expansion of Highway 26; the question of the commitment to continuing the process for the 404 and the Bradford bypass—these are all initiatives that we undertook because we recognized that any kind of commercial activity from small-town and rural Ontario depended upon a network of highways. So it is with some regret, obviously, that we see that the mid-peninsula corridor is off the current government's table; so are Highway 26 and the Bradford bypass.

In the area of the importance of municipal investments, one of the things we heard in our discussions with community members and municipal leaders was the need for municipal investments. Out of that, we created the OSTAR funding. This was very, very clearly designed to build employment opportunities. When we look at the current government, we don't see that kind of thing happening.

We also recognized the importance of economic development in Ontario as a whole, making Ontario a competitive tax jurisdiction and restructuring the tax system for agricultural land with the elimination of the farm tax rebate. These are just some of the things that we undertook.

When we look at the contrast, then, with the imposition of a so-called health tax and inadequate funding for many municipalities—we've heard throughout the spring on that issue. When we looked at the problems of a legislative framework, we understood the need to phase in nutrient management. We understood the need for the Ministry of Agriculture to be the lead ministry on this, to support our farmers.

Today, unfortunately, we do not see that. We see instead those people who are facing bankruptcy, whether it's through BSE or through finding their land rezoned as part of the greenbelt or through a lack of action on the GTA agricultural action plan. All of these are things that speak to this government's misunderstanding of the needs of rural Ontario.

On a final note, I would just suggest to everyone that if you do want to take the One-Tonne Challenge, may I suggest that you eat Ontario fruits and vegetables, and that will do it.

**Mr. Ted Arnott (Waterloo-Wellington):** The member for York North is absolutely right when she challenges us to ensure that the food products that we purchase in the supermarket and that we consume, as much as possible, should be Ontario produce.

I'm very pleased that our party's leader, the member for Dufferin-Peel-Wellington-Grey, the Leader of the Opposition, has brought forward this resolution today, this important opposition day motion calling upon the government to do more for rural Ontario, small-town Ontario and, in particular, our agriculture sector.

I've been privileged to represent my constituents in Wellington for nine years and my constituents in Waterloo-Wellington for almost six years in this Legislature, and I've always felt that we as rural MPPs need to do what we can to help farm families when they're facing a crisis. If we rural MPPs don't go to bat for those families when they need it, no one will. That has always been my commitment to my constituents, and I'm very pleased that my neighbour and colleague, the member for Dufferin-Peel-Wellington-Grey, feels exactly the same way. He has done an outstanding job as a local MPP, in addition to his many other responsibilities as party leader. He takes a great deal of his personal time to ensure that his riding's needs are looked after, and his riding's needs were on his mind when he brought forward this important resolution this afternoon.

Clearly, our agricultural businesses are in crisis, with a number of specific challenges. When that happens, we, as the Ontario Legislature, need to come together and work together to attempt to resolve them. That's always been my belief. I think the Minister of Agriculture is probably intending to respond, at some point this afternoon, to many of the points that have been made. I have certainly tried to assist him and support him, to the extent I can as an opposition member, to encourage him to do more, to dig deeper and to do what he can within the government.

Unfortunately, it would appear that this Liberal government has been focused on an urban agenda and has not taken the advice and the views of the Minister of Agriculture to heart in terms of determining policy. Another example of that was the massive cuts in the Ministry of Agriculture when the Minister of Finance presented his budget to the Legislature. They show complete indifference to the needs of farmers in terms of the budgetary policy of the government.

I'm being asked to wind up so that some of my colleagues can have an opportunity to speak. I want to thank you for listening to me, Mr. Speaker, and I encourage all members of this House to support this important resolution this afternoon.

**Mr. Bisson:** I'm going to participate in the debate for a bit. I want to put a couple of things on the record vis-à-vis northern Ontario, and how agricultural and rural northern Ontario feels about what's going on.

I want to make this statement up front: There is, I believe, by means of stealth by both the federal and provincial governments these days and over the past number of years, a move to urbanize Ontario much more than it ever was in the past. If you take a look at a lot of the policies we've seen coming out of Ottawa and out of Toronto, not only in the life of this government but in the lives of previous governments, there is really a lack of the attention that's necessary in order to assist northern and rural communities to flourish.

I'll give you a good example. We know that transportation is a huge issue in rural parts of the province. Highways are in a poor state of repair. In many cases, transportation is a major cost of doing business in our communities. There's not the kind of attention we need from the provincial government to invest in our highways in order to make sure those highways are maintained at a very good standard. How do you do economic development in a community, if you're trying to attract business—some form of manufacturing or economic activity—if the transportation infrastructure is not as strong as it needs to be, let alone air and rail, which is a whole other debate?

If you take a look at the price of gas in the province of Ontario today, it is hugely disproportionate according to where you happen to live. We know that the price of gas on the world market has gone up. But if, for example, you fill up in the city of Timmins and drive to Cochrane, there's an eight-cent-per-litre difference between communities that are just about 100 kilometres apart. Are you going to tell me that it costs eight cents a litre to transport gas from Sudbury or North Bay to Timmins and then 100 kilometres further to Cochrane? It doesn't make any sense—not to say what the price of gas is in a community like Moose Factory or Moosonee. They're part of our provincial system, and they're paying a price for gas that's exorbitantly higher than you'd pay in the city of Timmins. I have constituents constantly calling my office. A good example is M. Yvon Gamache, who just called me last week to complain that he drove from Sudbury to Timmins and there was a 10-cent-a-litre difference in the price of gas between those two communities. It doesn't make any sense.

We know that, by and large, there is a federal responsibility; the federal government should go after the gas companies and stop them from price-fixing, because that's basically what's happening. But the province has some things it could be doing as well to make life a little easier for northerners. For example, they could repeat what the NDP did while in government, which was to eliminate the registration fee for vehicles. That certainly went a long way to help northerners when it came to the price of gas.

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When I talk about further urbanization, take a look at the industrial development strategy when it comes to how to support major industries in Ontario. This government—and I give them a little bit of credit—tried to do something for the auto industry. They put together a \$500-million package, which I think will go a long way to assist in securing jobs in the automotive sector. But where is the strategy when it comes to forestry? The second-largest industry in the province of Ontario when it comes to economic activity after auto is the forestry industry. We have mills that are shutting down, literally almost every week. We have thousands of workers being put out of work because of what's happening in the industry. And the response on the part of the government was, "Oh, let's go do a forestry review for another 10



months," so we can know what we knew at the beginning, which is that we have problems when it comes to a number of issues in forestry that the provincial government needs to respond to, and they're not. Instead, what they're doing is accelerating the closure by inaction. They're accelerating the closure of mills across northern Ontario, let alone saying what is happening with mill closures in places like Opatatika, Kirkland Lake and Chapleau, where the government has gotten into bed with industry and said, "You can do what you want with the forest. It's yours. If you want to move the trees from Chapleau to Cochrane, go for it. They're your trees. Do what you want. You can mill them in a few supermills in northern Ontario and displace workers as a result." That is going to lead to the urbanization of Ontario, because it means to say that people living in communities like Opatatika, Chapleau, Kirkland Lake and others are going to be in a position where they're going to have to move to other areas to find work, and the work is more than likely going to be in larger urban centres.

I have to say that the workers within the Communications, Energy and Paperworkers Union are upset. There is a large degree of job loss within their particular sector in the pulp and paper forestry sector. It's the same thing with the United Steelworkers, the former IWA. The communities and the mayors are all in unison. This is the thing that is truly remarkable. I was at a rally yet again in Kapuskasing last Friday, organized by the STRONG group. There was one a month before by the KERRA group, and they're all in unison. They're saying, "We want the provincial and federal governments to work with us. We know there are problems. We know there are solutions. But you've got to do something to help us," and another 10-month study is not going to respond to the issue.

So I say to the government across the way, shame on you for not paying attention to the needs of northern and rural Ontario because, by and large, much of the revenue from the province of Ontario comes from the economic activities in those communities. As forestry goes through the decline that it is now going through, this government is going to rue the day it did not pay closer attention to that industry. As I said before, the second-largest industry in the province of Ontario is forestry when it comes to economic activity. We have major problems as far as a shifting in industry, as far as what's happening on the international market and what's happening locally. The government is not responding. Instead, what they're saying is, "Time for another study. Let's do another forestry review." I haven't seen the report yet, but at the end of the day I'm sure the report is going to come out and it's going to talk about what we already know.

I predict here that because the roads were transferred over to the forestry companies, they have to pay to maintain and build the roads. That is going to be a recommendation that the government won't act on. They're probably going to come in and talk about how much tax they pay on gas for their equipment. They've been saying that for a long time. We didn't need a 10-month study to

tell us that. They're probably going to come back and ask us for a reduction in stumpage fees. I wouldn't be surprised to see that, as well as a couple of other things that I don't have enough time to go through at this point in the debate.

I say to the government, it's about time you started paying attention to rural Ontario, it's about time you started paying attention to northern Ontario, and the quicker you do that, the better off we'll be as far as economic activities in those communities go.

**Mr. Peter Kormos (Niagara Centre):** Speaking in support of this resolution, I want to say this about Niagara: Niagarans are as concerned about this government's abandonment of rural and agricultural Ontario as anybody could be, as concerned about the failure of this government to come forward with even one identifiable policy that bolsters an increasingly faltering agricultural industry, agricultural economy, out there.

Let me give an example. Niagara is the home of Ontario's finest grapes; make no mistake about it. Some of the hardest-working farming families have been stewards of their scarce and rare agricultural land that constitutes these vineyards, not just for one generation but for two and three and four generations, producers of grape who have won, wineries big and small, international gold medals. Yet these Ontario grape growers are insulted on a daily basis with bottles of wine that this Liberal government allows to be identified as Ontario wine when it contains but a modest fraction of Ontario grape juice. In fact, the majority of that bottle of wine comes from plonk that's shipped in from South America, where the quality of grape is suspect, where the type of pesticides that are used along with other chemicals are suspect. This stuff is shipped in huge containers in ocean-going ships. The mere shipping alone should cause us concern about the quality of that product. If it wasn't corrupted at its source, imagine what happens to it en route.

Yet this Liberal government permits wineries to package that juice, that foreign grape, and then mislead consumers—understand what I'm saying, Speaker—into believing they're drinking Ontario product, when it's the furthest thing from the truth. A no-cost, zero cost—government doesn't have to be concerned about the impact on its less than stellar budget—policy announcement that would create an immediate positive impact for grape growers in Niagara and, quite frankly, other parts of Ontario would be for this government tomorrow—oh, heck, even this afternoon. The minister's here. Stand up and announce—I know the minister advocates for this. I know the minister. I've known him throughout his career here at Queen's Park. I'm convinced he has a genuine interest in agriculture.

The problem is his cabinet colleagues, with their obsession with downtown Toronto. They wouldn't know a vineyard if they tripped over one or if it bit them on the nose. If the minister only had the support of his colleagues, he would be pleased, I'm sure, to stand up—oh, I know Ms. Mossop supports him. The problem is, he

needs the support of the Premier's office; he needs the support of cabinet; he needs the support of his fellow ministers. Ms. Mossop, for all her best efforts, in this instance is simply not enough. If only the minister could stand up today and announce that Ontario wine labelled "Ontario wine" contains not 20% Ontario grape, not 30%, not 40%, not 50%, but Ontario wine is, by God, Ontario wine 100%. Zero cost to the government: It wouldn't constitute a penny of expenditure out of this lacklustre budget.

I know Tim Hudak has been a supporter of grape growers for a long time. I am confident he agrees with me that bottles of wine labelled Ontario wine should contain 100% Ontario grape, because Mr. Hudak isn't in the back pocket of the big wineries. Mr. Hudak doesn't take money from the big wineries when they make political contributions. Mr. Hudak, like me, is prepared to stand with the farmers and their families, who are the most effective stewards of this scarce agricultural land. You pass the standard now that says Ontario wine will be 100% Ontario grape and you've immediately boosted the welfare of Ontario grape growers. You've also introduced, my goodness, an element of honesty and candour with respect to the consumers. Where's the Minister of Consumer Affairs, who was all gung-ho about bringing your wine to your restaurant but could give a tinker's dam about whether or not this government permitted consumers to be misled about that wine being Ontario wine when in fact it was Chilean plonk shipped in rusty-bucket steamships from South America until it finally reaches its destination here and then gets packaged as Ontario wine?

1720

Napa Valley, California: One of the key elements of the greenbelting of Napa Valley was ensuring that Napa Valley grape was the sole content of Napa Valley wine. This government talks a big game when it comes to grape growers but leaves them cap in hand, hoping against hope that some day the government will introduce honesty to Ontario wine labelling by requiring that a bottle called "Ontario wine" is 100% Ontario grape. It ain't rocket science; it's not complex; it's not particularly sophisticated; it's just—dare I say it?—good common sense. I'm going to tell you something: You give grape growers a financial incentive to grow grapes, and you're going to preserve more agricultural land that way than you ever will with an irrational greenbelt.

Speaking of the greenbelt, the next observation that has to be made down in Niagara, if you really want to support farmers and help them preserve scarce agricultural land—because, I tell you, the farmers are front and centre; they're at the vanguard of the movement to save that agricultural land; they understand how important it is—why then, this government will announce immediately—tomorrow; don't wait any longer. Send the minister down to Niagara tomorrow—Mr. Takhar—let Jim Bradley join him, and announce the expansion and extension of Highway 406 southward on to the clay belt. Move that development away from the tender fruit land.

Move that development away from the rare, valuable and scarce agricultural land. Move that development away from the vineyards. Move it up on to the clay belt.

We've got workers at GM in St. Catharines who are frightened, scared for their jobs, scared for their families' futures, scared for their community's future because of GM's announcement of a significant reduction in production in the United States—across North America, indeed. To achieve that, terminating 25,000 workers' jobs in the United States has left the St. Catharines workers at General Motors fearful about their job futures. The Premier today didn't show much interest in those St. Catharines General Motors workers. I don't want to speak for him. I'm sure Mr. Bradley cares about them—the Minister of Tourism and Recreation, the member for St. Catharines. If only he could persuade his cabinet colleagues to care for them as much as he did.

We've got to do things to encourage development, but smart development, down in Niagara; development up on the clay belt, not on valuable farmland, scarce farmland, unique farmland. Cattle producers down there in Niagara aren't big Alberta-style ranchers. But cattle producers, good farming people, hardworking people and, more often than not, second- and third-generation farmers, are still seeing the price for cattle but a fraction of what it costs for them to produce cattle, yet supermarket prices climb and climb and climb and the cattle producer isn't getting a penny of those increased beef prices. This government's response was to slash the budget of the Ministry of Agriculture. It did. It was number one on the list of budgets that have been slashed in the very budget papers that the government produced—number one; 23% cut to the budget of the Ministry of Agriculture. That speaks volumes to farmers down where I come from and across Ontario. That says to farmers that Dalton McGuinty and the Liberals could give a tinker's dam about their welfare, about their future and about the land that they steward so effectively.

New Democrats aren't afraid to stand with farmers. We're proud to stand with farmers, proud to stand with the people who produce our food, who care for the land, who are the true conservationists. As they fight for their future, we'll fight with them.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** When farmers are on their knees, they need inspiration and they need leadership to bring them to their feet. It raises the question of where is the inspiration for our farmers and where is the leadership? Who do they turn to when the minister who's supposed to represent them can't even stand up for them himself? Where do they go to find hope? Who do they go to?

In rural Ontario today, people would be very shocked if they saw a doctor or a nurse driving a school bus to help make ends meet. People anywhere—

*Interjections.*

**The Acting Speaker:** Order, please.

**Mr. Barrett:** People anywhere in Ontario would be shocked if they saw teachers driving school buses to help make ends meet. But people aren't shocked to see farm-



ers driving a school bus to help bring home some money. Over 50% of our farmers work off the farm to help pay their bills. I know my partner, when we grew corn and soybeans, worked at Stelco. When I got back into cash crop in 1980, I was told, "Don't give up your day job. You won't be able to afford it."

*Interjections.*

**The Acting Speaker:** Order, please. The member has the floor. I can hardly hear him. There are a great many conversations going on. Member, please, you have the floor again.

**Mr. Barrett:** When farmers suffer, everyone around them is affected. Small business goes under. Even when just a few large operators can't pay their bills, schools, hospitals and churches are all affected. Farm incomes, as we've heard this afternoon, have been devastated by not only BSE and poor crop prices but trade action, uncertain weather conditions, rising energy costs and what has become an ever-increasing, crushing regulatory and legislative burden initiated by this Liberal government.

Mix in Ministry of Agriculture spending cuts, unfair property tax assessments and an unaccountable bureaucracy and you see the development of a rural farm and non-farm alliance, an alliance that this winter took to our highways, took to the Legislative Buildings over the past year to get government to wake up and take a look at a developing rural revolution in this province.

Now, rural protests and tractor rallies are not new. I attended a number in 2001 in eastern Ontario during the cash crop crisis. I attended a 12-mile-long tractor rally in Winchester. I will remind members of previous tractor rallies, going back as far as 1969 at Queen's Park. The 1969 tractor parade resulted in the government report of the day, the Challenge of Abundance. Again today, people are asking, "Where is the plan?" They're asking because they're looking at present at empty Liberal promises. However, rural Ontario is fighting back against a government that is very quietly breaking the back of rural Ontario. Very recently, farmers took to the streets in Ottawa. They carried signs: "No farms, no food, no future." That's the reality in rural Ontario, and stay tuned, that will be the reality in urban Ontario.

1730

**Hon. Steve Peters (Minister of Agriculture and Food):** I'm proud to stand before you today to express the enormous respect our Premier and this government has for Ontario's agriculture and agri-food industry.

In my own riding, we grow apples, strawberries, sweet corn, kiwi. We have tobacco, dairy cows and soybeans in our fields. Corn, cattle and hogs are also important commodities in Elgin. Elgin county represents the diversity of Ontario's agriculture.

In fact, across Ontario, our farmers are producing more than 200 commodities. We are a world leader in food technology and research and development, and more than three quarters of our agri-food exports are value-added. We recognize that these achievements rest on the shoulders of our hard-working farm families. I'm honoured to have had the privilege of meeting these peo-

ple and their hard-working commodity organizations in all corners of this great province, a province that is second to none in the world for its natural and human resources.

As I talk with these people, the quality that strikes me the most, the quality they all share, is a proud spirit of independence. That spirit is what built this great province, and it is what will drive us forward to prosperity in the future. They're willing to take risks and tie their life's work to the land, because they know nothing beats the freedom of raising your family and steering your business on your own terms.

The risks will always be there. A bountiful crop can be wiped out by drought or floods, insects or disease, or unprecedented drops in grain and oilseed prices can have a huge impact. In fact, the pressures are growing. Global competition can be equally devastating. This devastation is being experienced by our cattle industry as the border remains closed with our largest trading partner, despite what sound science tells us.

There are times when the people of Ontario, through this government, understand that we need to step in and help the people who feed us. This government has supplied extraordinary financial assistance to Ontario's agriculture sector. Last year alone we invested and delivered \$377 million in assistance to Ontario's farmers.

Our government wants more for these individuals. We've engaged their leadership in seeking out ways to look at bringing forward long-term business risk management solutions, because we all understand that pouring out financial assistance without a thought to the future is like trying to pour water into a bucket filled with holes. Yes, it is important to have effective fiscal programs for our province's agriculture industry. That's why our government wasted no time in signing the agricultural policy framework. We want to see long-term successes for our agriculture and agri-food industry.

This government is not interested in making ivory tower decisions. That is not our style. We are working closely with agricultural leaders across all sectors to make these programs work. It is an enormous undertaking and it will not fall into place overnight, but we care enough to engage the people who are affected by fiscal programming, because we want to ensure they are getting the maximum benefit from these funds.

The key to building the strong and vibrant industry we all want is to find new ways to address old challenges. This can come down to the difference between choosing what is right and choosing what is easy. We're not interested, though, in choosing that path of least resistance. We accept that doing things differently means facing difficult challenges. Any transition brings with it its own set of trials and tribulations, but I believe we can come out stronger and better.

Financial assistance is important. It helps provide a bridge that helps agriculture cross the challenges that inevitably arise. The problem is, we never know when the next crisis will wash away the bridge that we've built. There comes a time when we need to seek higher ground,

a vantage point that looks out at new opportunities and a different way of doing things for agriculture and our agri-food industry. BSE, rising input costs and competition from the US, Brazil and China are all signposts that we need to heed. Many agricultural industry leaders have recognized that we need to rethink the future. We are moving beyond primary production; our future success depends on it.

We are fortunate enough here in Ontario to have an industry that is studded with brilliant minds. These visionary leaders have already begun moving to that higher ground, and we are supporting their initiatives to carry the agri-food industry forward. For example, BSE has taught us that we must become more self-sufficient. We have worked with industry leaders to build and expand slaughter capacity right here in Ontario. We are supporting the sector as it seeks out new markets and repositions itself with new branding and marketing. Never again will we allow ourselves to flap in the wind at the mercy of protectionist politics. We do have friends south of the border who want to see our markets reintegrated, but still we're moving up to safer ground on our own.

Other sectors in agriculture are recognizing the need for transformation. Our dairy industry and pork industry leaders have catapulted Ontario's reputation for excellence of quality and new value-added products. Our greenhouse sector has embraced technological innovation; it has grown to such an extent that it now represents half of our nation's greenhouse industry. Our grains and oilseeds leaders are exploring opportunities in the new bio-based economy of tomorrow, one which will use their feedstock to fuel and build our cars, build our homes and provide new value-added food products. We applaud their vision. They have heard the train whistle and are climbing aboard to reach that higher plateau. The train that will carry us to a brighter future is about to leave the station, and it's time that we all get on board.

You may ask, where are we going? How will agriculture in Ontario survive and prosper in the decades to come? Well, my friends, this government is already at work. This government has demonstrated its support for our farmers in many ways and places. We have been to world trade talks, where we've defended supply management. We went to Ottawa to work with our federal government and to Washington to stress the traditional benefits our countries have enjoyed in their respective beef and pork industries.

As a government, we know the greatest responsibility is to serve the people of Ontario. They want better health; they want better education. That is why the greatest portion of our public purse is directed at meeting those priorities. We will continue to support our agricultural industry, but we must bear in mind that the reality is that we are working in an environment of limited funds, and we cannot ignore that fact. The greatest failure of any government is to leave future generations to pay for its debt, and the greatest legacy is to leave behind a healthier, stronger, more prosperous place for them to live.

Some will say that agriculture is overregulated. They say that it hinders the independence of the landowner, and as I've said before, independence is a great thing. But when you draw your resources from the land, you have a responsibility to that land. We owe it to future generations to keep our drinking water pristine and abundant. We owe it to future generations to fiercely preserve the rich agricultural land that this province has been blessed with. Only 5% of Canada's total land base is classified as prime agricultural land, and we are fortunate enough to have half of Canada's best soil right here in Ontario. Premier McGuinty and this government refuse to stand aside and allow this treasure to be paved over and lost forever to future farming.

#### 1740

Our farmers shine as our province's greatest stewards of our environment. They understand that the quality of our soil and water must be preserved and respected. How many of us see people watering their lawns on restricted days or spraying pesticides to kill their dandelions? How many urban people know that farmers need to pass a pesticide course before they spray their fields, and that Ontario farmers have reduced pesticide use by 50% in the last two decades? It's our farm leaders who called for nutrient management laws. They asked for province-wide regulations to replace the patchwork of municipal bylaws that existed before. We continue to engage the opinions of our agricultural community as we refine these rules.

Regulations can only work if they are fair and cost-effective. Our farmers should not be expected to shoulder the burden of these costs alone, and we don't expect them to. We're providing millions to assist them in implementing the best management practices that protect our environment.

Let me be clear: This government rejects the notion that regulation hinders progress and prosperity. Regulations may not be easy, they may not be popular, and there are those who will consider regulations to be a thorn in their side, but regulations protect the public, and that includes our farmers.

This government will not shy away from its responsibility to protect the water you drink, the food you eat and the air you breathe, and we will never compromise our integrity to serve the public interest. To that end, we are moving forward on a food safety strategy with the Food Quality and Safety Act and stronger, new meat regulations. We have realigned the Ontario Ministry of Agriculture and Food. We've established the new post of the chief veterinarian of Ontario to better prepare us against future animal disease outbreaks and to ensure strong food safety measures are in place.

I'm proud that together with our agricultural industry we are taking a lead role in establishing traceability, provincial hazard analysis critical control point standards and new regulations that will provide a seamless, scientifically based food safety system from field to fork.

These regulations do more than protect the public and give consumers a piece of mind; these regulations work for the industry as well by branding Ontario foods as the



safest products in the world, the highest-quality products in the world, produced in an environmentally sustainable manner. This will strengthen our province's agriculture, our economy and our public trust. As our Premier has said, "We will always work toward the goal of building an Ontario that is a worthy home for our dreams, for our hopes, and for our children and grandchildren."

For agriculture, the key to our success lies in research and innovation, and I'm proud that our government believes in this and is committed to opening the door that we will redefine Ontario's agri-food industry.

We are investing in research and development that will galvanize the industry across all sectors. We are revitalizing the infrastructure that was left crumbling by our predecessors. We are establishing a new research chair at the University of Guelph to explore bio-based agricultural opportunities. And the ministry has an additional \$15 million in its operations budget this year. We are working to find ways for our agri-food industry to better survive and thrive.

Now, more than ever, the industry needs to establish a long-term vision, a process that we began at the first inaugural Premier's summit on the agri-food industry, a process that our government and agricultural leaders are continuing to guide with a series of meetings this summer as we prepare for the next summit.

Later this month, Ontario is hosting the first-ever international Agri-Food Innovation Forum here in Toronto. Researchers, academics and executives will gather to hear distinguished experts from all over the world present their ideas on how innovation in agriculture and food directly impacts human health. They will discuss topics ranging from corporate strategies for commercialization and food marketing to nutrition policies and emerging science in agriculture and food. Our Minister of Health will be there. And I will be there, looking at what opportunities we can help bring to Ontario and to Ontario farmers.

We need to work together. We need to think strategically. We stand at the dawn of a new agricultural age, one that will see industrial uses for our crops and pharmaceutical uses for our food. The opportunities are there. Yes, it does seem a long way off. Yes, it will take an investment in research and development. It calls for a leap of faith and a spirit of entrepreneurship. If we don't seize the opportunities, others will and we will be left behind. The returns will not be immediate, but we can empower our agriculture industry and build a whole new future for our rural communities.

One in every five Ontarians lives in towns that have a population of less than 25,000 people. If we want to ensure that our dreams can find a home in rural Ontario, we need to ensure that those rural economies prosper. These communities have top-calibre people and ideas.

We want to make an Ontario that is a better place to live for everyone, whether it is in our great cities or in our beautiful surrounding countryside. We have the best resources in the world. We have the strongest contingent of people power. We have the tools to build that better place.

I would like to point your attention to a couple of carvings that a wise artist placed here in our chamber. Across the floor, the opposition can look to the right and see the eagle, which reminds them to be vigilant. I have been in your shoes and I respect and understand that need. For us here in government, we look over to the owl, reminding us to be wise in our decisions. As well, carved in the wall behind me, is a sheaf of wheat symbolizing agriculture. These symbols remind us that we are just a few among many who have gone before us. Ours is a time to make a difference, to use our time wisely so that it honours the trust of those who have sent us here to serve, the people of Ontario.

Agriculture is an industry that has undergone many changes in just the past few decades, the past few years and the past few days. It has seen great gains, but it has also been shaken by many losses. We never forget, and we must never forget, that agriculture and food are at the heart of the heritage of this great province. We must all continue to work passionately to ensure that they are a key contributor to Ontario's future.

I'm proud to be part of a government that is willing to step forward and find new paths to success without wavering in its duty to be fiscally responsible. We recognize that agriculture is the foundation that built this province. It is the foundation that we will continue to reinforce.

As summer begins, I encourage everyone to show their support to our agricultural communities. Go out and visit your local farm markets, agricultural fairs and festivals. Talk to those who feed our economy and feed our people. As you travel around this summer, insist on Ontario-grown fruits, vegetables, meat and dairy products wherever you go. Don't be afraid to ask the question, when you go into that restaurant, "Is this Ontario beef that I'm eating?" When you go into that restaurant and are served with a glass of wine, ask if that is VQA wine. When they serve you strawberries and cream, ensure that those are Ontario strawberries. These are small ways that each of us can make a difference. We need—

*Interjections.*

**The Acting Speaker:** Stop the clock. Order, please. The minister has been speaking. There must be 25 conversations going on all around this room. Please, show the minister courtesy in the last minute of his speech.

*Interjections.*

**The Acting Speaker:** Order, please. The minister has the floor.

**Hon. Mr. Peters:** We all need to recognize the important role that agriculture can and does play in the various societal challenges we face today. Whether it's in functional foods or renewable energy or renewable fuels, agriculture can play a role to keep us healthy. Agriculture can play a preventive role, and we need to recognize that.

Ladies and gentlemen, we will be here supporting this resolution that's in front of us today. Yes, we may have our differences of opinion at times, but we all fundamentally stand behind and support those men and

women. We must salute them and thank them, those individuals who bring us such great bounty. Together, we can build a new day for agriculture and a better tomorrow for Ontario.

*Applause.*

**The Acting Speaker:** Order, please. Will the members please take their seats.

Mr. Tory has moved opposition day motion number 5. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There being more than five members, call in the members. There will be a 10-minute bell.

*The division bells rang from 1752 to 1802.*

**The Acting Speaker:** All those in favour of the motion will please rise and be recognized by the Clerk.

#### Ayes

|                       |                     |                     |
|-----------------------|---------------------|---------------------|
| Amott, Ted            | Hudak, Tim          | Peters, Steve       |
| Arthurs, Wayne        | Jackson, Cameron    | Peterson, Tim       |
| Barrett, Toby         | Jeffrey, Linda      | Phillips, Gerry     |
| Bartolucci, Rick      | Klees, Frank        | Pupatello, Sandra   |
| Berardinetti, Lorenzo | Kormos, Peter       | Qaadri, Shafiq      |
| Bradley, James J.     | Kwinter, Monte      | Racco, Mario G.     |
| Broten, Laurel C.     | Lalonde, Jean-Marc  | Ramal, Khalil       |
| Brown, Michael A.     | Leal, Jeff          | Ramsay, David       |
| Caplan, David         | Levac, Dave         | Rinaldi, Lou        |
| Chudleigh, Ted        | Marsales, Judy      | Runciman, Robert W. |
| Colle, Mike           | Martel, Shelley     | Ruprecht, Tony      |
| Crozier, Bruce        | Martiniuk, Gerry    | Sandals, Liz        |
| Delaney, Bob          | Matthews, Deborah   | Scott, Laurie       |
| Dhillon, Vic          | Mauro, Bill         | Sergio, Mario       |
| Di Cocco, Caroline    | McMeekin, Ted       | Smith, Monique      |
| Dombrowsky, Leona     | McNeely, Phil       | Smitherman, George  |
| Duguid, Brad          | Milloy, John        | Tory, John          |
| Duncan, Dwight        | Mitchell, Carol     | Van Bommel, Maria   |
| Flynn, Kevin Daniel   | Mossop, Jennifer F. | Witmer, Elizabeth   |
| Fonseca, Peter        | Munro, Julia        | Wong, Tony C.       |
| Gerretsen, John       | Murdoch, Bill       | Wynne, Kathleen O.  |
| Hardeman, Ernie       | O'Toole, John       | Yakubuski, John     |
| Hoy, Pat              | Patten, Richard     | Zimmer, David       |

**The Acting Speaker:** Are there any opposed?

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 69; the nays are 0.

**The Acting Speaker:** I declare the motion carried. Orders of the day.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** Even Michael Perik is in favour of this.

**Hon. Mr. Caplan:** Mr. Speaker, I'm being heckled by the member from St. Catharines.

#### ENVIRONMENTAL ENFORCEMENT STATUTE LAW AMENDMENT ACT, 2005 LOI DE 2005 MODIFIANT DES LOIS SUR L'ENVIRONNEMENT EN CE QUI CONCERNE L'EXÉCUTION

Resuming the debate adjourned on June 7, 2005, on the motion for third reading of Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water

Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

**The Acting Speaker (Mr. Michael Prue):** Mr. Caplan has moved third reading of Bill 133. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Please call in the members. There will be a 30-minute bell.

No, there won't. I have here a letter to the Speaker of the Legislative Assembly: "Pursuant to standing order 28(h), I request that the vote on the motion by Mrs. Dombrowsky for third reading of Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters, be deferred until Thursday, June 9, 2005." Signed by Dave Levac, chief government whip, for the time set aside. That will be so ordered.

#### FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

Ms. Pupatello moved third reading of the following bill:

Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

**The Acting Speaker (Mr. Michael Prue):** Is there any debate? Seeing none, Mrs. Pupatello has moved third reading of Bill 155.

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There being more than five members standing, call in the members. There will be a 30-minute bell.

No, there won't. Another letter to the Speaker of the Legislative Assembly: "Pursuant to standing order 28(h), I request that the vote on the motion by Ms. Pupatello for third reading of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act,



1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997, be deferred until Thursday, June 9, 2005." Signed by Dave Levac, chief government whip, for the time set out for such matters.

TRANSPORTATION STATUTE LAW  
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS  
EN CE QUI CONCERNE LE TRANSPORT

Resuming the debate adjourned on June 6, 2005, on the motion for second reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

**The Acting Speaker (Mr. Michael Prue):** Is there any further debate?

Mr. Takhar has moved second reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters.

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a 30-minute bell.

I have another letter here to the Speaker of the Legislative Assembly: "Pursuant to standing order 28(h)—dispense? OK. No? OK. "Pursuant to standing order 28(h), I request that the vote on the motion by Mr. Takhar for second reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters, be deferred until Thursday, June 9, 2005," at the time set aside for such matters.

Signed by Dave Levac, chief government whip.

Are there any other matters?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** Speaker, I hope you will look favourably on a motion to adjourn the House.

**The Acting Speaker:** All those in favour? Is it the pleasure of the House? Is it carried? No?

*Interjections.*

**The Acting Speaker:** He's not in his seat.

All those in favour, please say "aye."

All those opposed, please say "no."

In my opinion, the ayes have it. Carried.

It now being well past 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

*The House adjourned at 1811.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman

Speaker / Président: Hon. / L'hon. Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Constituency<br>Circonscription                           | Member/Party<br>Député(e) / Parti   | Constituency<br>Circonscription                    | Member/Party<br>Député(e) / Parti  |
|---|---|--|--|
| Algoma-Manitoulin   | Brown, Michael A. (L)   | Hamilton East /<br>Hamilton-Est                    | Horwath, Andrea (ND)   |
| Ancaster-Dundas-<br>Flamborough-Aldershot                 | McMeekin, Ted (L)   | Hamilton Mountain                                  | <b>Bountrogianni, Hon. / L'hon. Marie</b> (L)<br>Minister of Children and Youth Services,<br>Minister of Citizenship and Immigration /<br>ministre des Services à l'enfance et à la<br>jeunesse, ministre des Affaires civiques et<br>de l'Immigration |
| Barrie-Simcoe-Bradford                                    | <b>Tascona, Joseph N.</b> (PC) First Deputy<br>Chair of the Committee of the Whole<br>House / Premier Vice-Président du Comité<br>plénier de l'Assemblée législative                                      |  | Marsales, Judy (L)   |
| Beaches-East York /<br>Beaches-York-Est                   | Prue, Michael (ND)  | Hamilton West /<br>Hamilton-Ouest                  |  |
| Bramalea-Gore-Malton-<br>Springdale                       | Kular, Kuldip (L)   | Hastings-Frontenac-Lennox and<br>Addington         | <b>Dombrowsky, Hon. / L'hon. Leona</b> (L)<br>Minister of the Environment /<br>ministre de l'Environnement   |
| Brampton Centre /<br>Brampton-Centre                      | Jeffrey, Linda (L)  | Huron-Bruce  | Mitchell, Carol (L)  |
| Brampton West-Mississauga /<br>Brampton-Ouest-Mississauga | Dhillon, Vic (L)  | Kenora-Rainy River                                 | Hampton, Howard (ND) Leader of<br>the New Democratic Party / chef du<br>Nouveau Parti démocratique   |
| Brant   | Levac, Dave (L)   |  | <b>Gerretsen, Hon. / L'hon. John</b> (L)<br>Minister of Municipal Affairs and<br>Housing, minister responsible for seniors /<br>ministre des Affaires municipales et du<br>Logement, ministre délégué aux Affaires<br>des personnes âgées              |
| Bruce-Grey-Owen Sound                                     | Murdoch, Bill (PC)  | Kingston and the Islands /<br>Kingston et les îles | Milloy, John (L)   |
| Burlington  | Jackson, Cameron (PC)   |  | Witmer, Elizabeth (PC)   |
| Cambridge   | Martiniuk, Gerry (PC)   | Kitchener Centre /<br>Kitchener-Centre             | Van Bommel, Maria (L)  |
| Chatham-Kent Essex  | Hoy, Pat (L)  | Kitchener-Waterloo                                 | Sterling, Norman W. (PC)   |
| Davenport   | Ruprecht, Tony (L)  | Lambton-Kent-Middlesex                             | Runciman, Robert W. (PC)   |
| Don Valley East /<br>Don Valley-Est                       | <b>Caplan, Hon. / L'hon. David</b> (L)<br>Minister of Public Infrastructure Renewal,<br>Deputy House Leader / ministre du<br>Renouvellement de l'infrastructure<br>publique, leader parlementaire adjoint | Lanark-Carleton                                    | Matthews, Deborah (L)  |
| Don Valley West /<br>Don Valley-Ouest                     | Wynne, Kathleen O. (L)  | Leeds-Grenville                                    |  |
| Dufferin-Peel-<br>Wellington-Grey                         | Tory, John (PC) Leader of the Opposition /<br>chef de l'opposition  | London North Centre /<br>London-Centre-Nord        | <b>Bentley, Hon. / L'hon. Christopher</b> (L)<br>Minister of Labour / ministre du Travail  |
| Durham  | O'Toole, John (PC)  | London West /<br>London-Ouest                      | Ramal, Khalil (L)  |
| Eglinton-Lawrence   | Colle, Mike (L)   | London-Fanshawe                                    | Wong, Tony C. (L)  |
| Elgin-Middlesex-London                                    | <b>Peters, Hon. / L'hon. Steve</b> (L)<br>Minister of Agriculture and Food /<br>ministre de l'Agriculture et de<br>l'Alimentation   | Markham  | <b>Takhar, Hon. / L'hon. Harinder S.</b> (L)<br>Minister of Transportation /<br>ministre des Transports  |
| Erie-Lincoln  | Hudak, Tim (PC)   | Mississauga Centre /<br>Mississauga-Centre         | Fonseca, Peter (L)   |
| Essex   | <b>Crozier, Bruce</b> (L) Deputy Speaker, Chair<br>of the Committee of the Whole House /<br>Vice-Président, Président du Comité<br>plénier de l'Assemblée législative                                     | Mississauga East /<br>Mississauga-Est              | Peterson, Tim (L)  |
|   | Cansfield, Donna H. (L)   | Mississauga South /<br>Mississauga-Sud             | Delaney, Bob (L)   |
| Etobicoke Centre /<br>Etobicoke-Centre                    |   | Mississauga West /<br>Mississauga-Ouest            |  |
| Etobicoke North /<br>Etobicoke-Nord                       | Qaadri, Shafiq (L)  | Nepean-Carleton                                    | Baird, John R. (PC)  |
| Etobicoke-Lakeshore                                       | Broten, Laurel C. (L)   | Niagara Centre /<br>Niagara-Centre                 | Kormos, Peter (ND)   |
| Glengarry-Prescott-Russell                                | Lalonde, Jean-Marc (L)  | Niagara Falls                                      | Craitor, Kim (L)   |
| Guelph-Wellington   | Sandals, Liz (L)  | Nickel Belt  | Martel, Shelley (ND)   |
| Haldimand-Norfolk-Brant                                   | Barrett, Toby (PC)  | Nipissing  | Smith, Monique M. (L)  |
| Haliburton-Victoria-Brock                                 | Scott, Laurie (PC)  | Northumberland                                     | Rinaldi, Lou (L)   |
| Halton  | Chudleigh, Ted (PC)   | Oak Ridges   | Klees, Frank (PC)  |



| Constituency<br>Circonscription                  | Member/Party<br>Député(e) / Parti  | Constituency<br>Circonscription                               | Member/Party<br>Député(e) / Parti   |
|--|--|---|---|
| Oakville   | Flynn, Kevin Daniel (L)  | Stormont–Dundas–<br>Charlottenburgh                           | Brownell, Jim (L)   |
| Oshawa   | Ouellette, Jerry J. (PC)   | Sudbury   | <b>Bartolucci, Hon. / L'hon. Rick (L)</b><br>Minister of Northern Development and<br>Mines / ministre du Développement du<br>Nord et des Mines  |
| Ottawa Centre /<br>Ottawa-Centre                 | Patten, Richard (L)  | Thornhill   | Racco, Mario G. (L)   |
| Ottawa South /<br>Ottawa-Sud                     | <b>McGuinty, Hon. / L'hon. Dalton (L)</b><br>Premier and President of the Executive<br>Council, Minister of Intergovernmental<br>Affairs / premier ministre et président du<br>Conseil exécutif, ministre des Affaires<br>intergouvernementales                                  | Thunder Bay–Atikokan  | Mauro, Bill (L)   |
| Ottawa West–Nepean /<br>Ottawa-Ouest–Nepean      | <b>Watson, Hon. / L'hon. Jim (L)</b><br>Minister of Consumer and Business<br>Services / ministre des Services aux<br>consommateurs et aux entreprises  | Thunder Bay–Superior<br>North / Thunder Bay–Superior-<br>Nord | Gravelle, Michael (L)   |
| Ottawa–Orléans                                   | McNeely, Phil (L)  | Timiskaming–Cochrane  | <b>Ramsay, Hon. / L'hon. David (L)</b><br>Minister of Natural Resources /<br>ministre des Richesses naturelles  |
| Ottawa–Vanier                                    | <b>Meilleur, Hon. / L'hon. Madeleine (L)</b><br>Minister of Culture, minister responsible<br>for francophone affairs / ministre de la<br>Culture, ministre déléguée aux Affaires<br>francophones   | Timmins–James Bay /<br>Timmins–Baie James                     | Bisson, Gilles (ND)   |
| Oxford   | Hardeman, Ernie (PC)   | Toronto Centre–Rosedale /<br>Toronto-Centre–Rosedale          | <b>Smitherman, Hon. / L'hon. George (L)</b><br>Minister of Health and Long-Term Care /<br>ministre de la Santé et des Soins de longue<br>durée  |
| Parkdale–High Park                               | <b>Kennedy, Hon. / L'hon. Gerard (L)</b><br>Minister of Education /<br>ministre de l'Éducation   | Toronto–Danforth  | Churley, Marilyn (ND)   |
| Parry Sound–Muskoka                              | Miller, Norm (PC)  | Trinity–Spadina   | Marchese, Rosario (ND)  |
| Perth–Middlesex                                  | Wilkinson, John (L)  | Vaughan–King–Aurora   | <b>Sorbara, Hon. / L'hon. Greg (L)</b><br>Minister of Finance /<br>ministre des Finances  |
| Peterborough                                     | Leal, Jeff (L)   | Waterloo–Wellington   | <b>Arnott, Ted (PC)</b> First Deputy Chair of<br>the Committee of the Whole House /<br>Premier Vice-Président du Comité plénier<br>de l'Assemblée législative   |
| Pickering–Ajax–Uxbridge                          | Arthurs, Wayne (L)   | Whitby–Ajax   | Flaherty, Jim (PC)  |
| Prince Edward–Hastings                           | Parsons, Ernie (L)   | Willowdale  | Zimmer, David (L)   |
| Renfrew–Nipissing–Pembroke                       | Yakabuski, John (PC)   | Windsor West /<br>Windsor-Ouest                               | <b>Pupatello, Hon. / L'hon. Sandra (L)</b><br>Minister of Community and Social<br>Services, minister responsible for women's<br>issues / ministre des Services sociaux et<br>communautaires, ministre déléguée à la<br>Condition féminine |
| Sarnia–Lambton                                   | Di Cocco, Caroline (L)   | Windsor–St. Clair   | <b>Duncan, Hon. / L'hon. Dwight (L)</b><br>Minister of Energy, Chair of Cabinet,<br>Government House Leader / ministre de<br>l'Énergie, président du Conseil des<br>ministres, leader parlementaire du<br>gouvernement                    |
| Sault Ste. Marie                                 | Oraziatti, David (L)   | York Centre /<br>York-Centre                                  | <b>Kwinter, Hon. / L'hon. Monte (L)</b><br>Minister of Community Safety and<br>Correctional Services / ministre de la<br>Sécurité communautaire et des Services<br>correctionnels   |
| Scarborough Centre /<br>Scarborough-Centre       | Duguid, Brad (L)   | York North / York-Nord  | Munro, Julia (PC)   |
| Scarborough East /<br>Scarborough-Est            | <b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b><br>Minister of Training, Colleges and<br>Universities / ministre de la Formation et<br>des Collèges et Universités   | York South–Weston /<br>York-Sud–Weston                        | <b>Cordiano, Hon. / L'hon. Joseph (L)</b><br>Minister of Economic Development and<br>Trade / ministre du Développement<br>économique et du Commerce   |
| Scarborough Southwest /<br>Scarborough-Sud-Ouest | Berardinetti, Lorenzo (L)  | York West / York-Ouest  | Sergio, Mario (L)   |
| Scarborough–Agincourt                            | <b>Phillips, Hon. / L'hon. Gerry (L)</b><br>Chair of the Management Board of Cabinet<br>/ président du Conseil de gestion du<br>gouvernement   |   |   |
| Scarborough–Rouge River                          | <b>Curling, Hon. / L'hon. Alvin (L)</b><br>Speaker / Président   |   |   |
| Simcoe North /<br>Simcoe-Nord                    | Dunlop, Garfield (PC)  |   |   |
| Simcoe–Grey                                      | Wilson, Jim (PC)   |   |   |
| St. Catharines                                   | <b>Bradley, Hon. / L'hon. James J. (L)</b><br>Minister of Tourism and Recreation /<br>ministre du Tourisme et des Loisirs  |   |   |
| St. Paul's                                       | <b>Bryant, Hon. / L'hon. Michael (L)</b><br>Attorney General, minister responsible for<br>native affairs, minister responsible for<br>democratic renewal / procureur général,<br>ministre délégué aux Affaires autochtones,<br>ministre responsable du Renouveau<br>démocratique |   |   |
| Stoney Creek                                     | Mossop, Jennifer F. (L)  |   |   |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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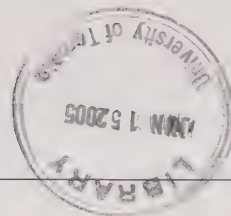
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**Assemblée législative  
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Première session, 38<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

# **Journal des débats (Hansard)**

**Thursday 9 June 2005**

**Jeudi 9 juin 2005**

**Speaker**  
Honourable Alvin Curling

**Clerk**  
Claude L. DesRosiers

**Président**  
L'honorable Alvin Curling

**Greffier**  
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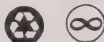
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 June 2005

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 9 juin 2005

*The House met at 1000.  
Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### HEALTH INSURANCE AMENDMENT ACT (PSA TESTS FOR PROSTATE CANCER), 2005 LOI DE 2005 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ (TEST PSA POUR LE DÉPISTAGE DU CANCER DE LA PROSTATE)

Mr. Mauro moved second reading of the following bill:

Bill 201, An Act to amend the Health Insurance Act /  
Projet de loi 201, Loi modifiant la Loi sur l'assurance-  
santé.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant  
to standing order 96, Mr. Mauro, you have up to 10  
minutes.

**Mr. Bill Mauro (Thunder Bay—Atikokan):** I'd like  
to begin by introducing a couple of people in the gallery  
who have taken the time to come out and support this  
initiative: Mr. John Peck, who is the chair of the Early  
Prostate Cancer Diagnosis Ontario; and Mr. Greg Sarney,  
a representative of Prostate Cancer Research Foundation  
of Canada. They are here with us today. I should also  
mention that Dr. John Trachtenberg from Princess  
Margaret Hospital, a world-renowned neurologist and  
prostate cancer specialist, would have liked to be here but  
was unable to make it today.

PSA stands for prostate specific antigen. This sub-  
stance is produced in the prostate glands of healthy men  
but is released into the blood stream when the structure  
of the prostate starts to break down, such as when cancer  
is present. Prostate cancer is the most commonly diag-  
nosed cancer in men. At least one in every eight Cana-  
dian men is expected to develop the disease in their  
lifetime; 27% will die of it. In 2000 alone over 1,300 men  
died as a result of prostate cancer. Up to 20,000 Canadian  
men are diagnosed every year, and about 7,600 of those  
men are in Ontario.

We know that as the Canadian population continues to  
age, and as more men move into their high-risk areas,  
these numbers are only going to increase. It is incumbent

upon us that we be prepared to address this increasing  
number of men who are going to be developing this  
disease in the years to come.

A radical prostatectomy would cost about \$16,000 in  
the year 2000, before it had spread. After that, it would  
cost about \$32,000 for treatment. It is very likely that a  
cost-benefit analysis would indicate and clearly support  
the fact that, on an economic basis, this test could be  
justified.

We understand, all of us who have paid some attention  
to this issue, and those who have dealt with it before in  
this Legislature, that there is not unanimity when it  
comes to validity, the clinical efficacy of this test. Every-  
body acknowledges that. However, if you deal with the  
medical practitioners, the people who are actually in-  
volved in the treatment of this disease, you will find that  
the number of people who support the test far outweigh  
those who do not. In fact, much of the resistance to the  
use of this test being paid for by OHIP comes from  
people who are not actually medical practitioners. There  
are some reasons given on a regular basis as to why this  
test should not be funded. One of those is that the test can  
produce a false negative, and on its surface, that would  
seem to make a lot of sense. Why would we pay for a test  
that could lead someone with this disease to think that  
perhaps they do not have the disease? But clearly, you do  
not stop testing at that point. There is strong evidence  
that suggests that this test should be used on an annual  
basis to create baseline data, and from that data, you can  
then determine what may or may not be happening with  
the patient.

There is also the argument that's made on a regular  
basis about false positives being a result of this test and  
that those false positives can lead to stress for the  
individuals. We would argue that the individual patient,  
the man himself, should be the one who determines what  
levels of stress he is able to deal with, and would clearly  
argue that there's a lot more stress associated with not  
having the early diagnosis and then being diagnosed  
later, when we know his disease is much more difficult to  
treat. We all agree that this test is not perfect, but we do  
all know that it is still the best way to catch this disease  
early, before it spreads. It's important to note that there  
are often no symptoms associated with this disease and  
that it is most curable in its early stages.

Mr. Aaron Bacher is the chairman of the Toronto Man  
to Man Prostate Cancer Support Group. I'd like to read  
you a little bit about what he has had to say on this issue:

"As chairman of the Toronto Man to Man Prostate  
Cancer Support Group, the largest such group in Canada,

we see too many men at our meetings who are the direct result of putting off getting a PSA test done until it was too late. All the men who come to our meetings do so after being diagnosed with prostate cancer, and they come to us looking for answers. We hear about how they didn't get the test done because it was going to cost them a few dollars, or their GP told them it wasn't necessary because of the cost, or that the test is 'unreliable.'"

Professor Laurence Klotz wrote an article just about a year ago, and it appeared in the *Toronto Globe and Mail*. Professor Klotz is at the University of Toronto and the head of the prostate cancer support group at Sunnybrook and Women's College Health Sciences Centre. This is what he had to say:

"A rapid rise in PSA has been clearly demonstrated to be associated with aggressive prostate cancer. Furthermore, by the time someone developed advanced prostate cancer, the PSA is almost always very high. The widespread use of PSA testing has resulted in the disease being diagnosed at a stage when it is much more curable. More important, death from prostate cancer has dropped 25% in the past years in North America. This advance deserves as large a headline as the one casting suspicion on the PSA test."

What this speaks to is one of the relatively new innovations when it comes to dealing with prostate cancer in men in the last four or five years, and that is that the development of baseline data in the treating of cancer patients or people who have not been diagnosed yet is an extremely useful tool for medical practitioners when it comes to the early detection of this disease. The velocity of the change in the PSA levels, the rapidity of the change, is a very useful tool for physicians when they're treating their patients in determining whether or not they may have cancer. It's a great indicator for them to use in terms of whether or not they should move forward with a biopsy or other things.

No one suggests for a second that the PSA test should replace some of the other tests that are being used to make determinations around this disease, such as the DRE, but clearly this is an advancement that has occurred in the last four or five years and is an extremely useful tool. It can only be a tool if we begin to fund this and accumulate this data on an annual basis.

It's important to note also that younger men generally have cancers or higher PSA levels that are much faster-moving, whereas older men generally develop one that is much slower-moving. The danger, of course, is that younger men tend to be asymptomatic, and the danger is also that younger men are less likely to get tested. So it makes it that much more important. This is all about early diagnosis so that we can avoid the results that are generally associated with those diseases, and they're very serious: incontinence, impotence and, of course, potential death.

There's broad-based support for this initiative, for the funding of this procedure on a regular basis. The Early Prostate Cancer Diagnosis Ontario, as I have mentioned, the Prostate Cancer Research Foundation of Canada, the

Canadian Prostate Cancer Network, and local groups like, in my community, the Thunder Bay Us Too group, and locally in Toronto the Man To Man Prostate Cancer Support Group. I'm sure that most, if not all, members of this Legislative Assembly have groups that exist within their constituencies that likely are in support of this initiative. I would have no doubt, and I'm sure that most members have received many of the same e-mails I have since this bill was first tabled in the Legislature that would suggest, that there is broad-based support for this initiative.

#### 1010

Earlier, I spoke a little bit about the controversy that surrounds this test, to some degree. I can't help but reference that when I talk about some of the other support that exists beyond the province of Ontario. It's not just a few provinces that fund this, but many. Saskatchewan funds this test through their provincial payment health plan. Manitoba, Nova Scotia, Newfoundland, New Brunswick and Prince Edward Island all fund this test through their provincial health care plans—all of them. In fact, British Columbia, as a seventh, also funds it, but that is only after a test comes back as positive. So clearly, if we're going to address some of the people who have some negative things or uncertainties around the validity of this test, we would have to wonder why six—in fact seven—other provinces find the efficacy of this test to be fine and that it justifies their provincial health plans funding it.

The facts are quite simple and quite straightforward: The PSA test is responsible for saving lives. There are many men in the province of Ontario today and across this country who would not be alive had it not been for an early diagnosis that was attributable to a PSA test. It's important to note that many of these men were asymptomatic at the time of their diagnosis. It's clear: PSA testing saves lives. And quite possibly, PSA testing could save the government money. I thank you for your time. This is clearly an issue whose time has come.

#### **The Deputy Speaker:** Further debate?

**Ms. Laurie Scott (Haliburton–Victoria–Brock):** I'm pleased to rise today to speak on the bill brought by the member, Bill 201, An Act to amend the Health Insurance Act. He spoke a lot about the tests that need to be done when there are no symptoms showing in people. I think that's a big policy statement for health care that they may need to look at, that is, preventive medicine and early testing and early detection. I'm pleased this has been discussed. Many times in my communities and in the newspapers—and I think this is a great topic to be brought forward for private members' business that we do on Thursday morning—we bring things from our communities that need to be brought forward and get attention, in this case hopefully by the Ministry of Health and Long-Term Care, to do some implementation that would lead to early detection, early treatment and a cure.

A constituent of mine, who's a gentleman over 70, which is certainly an age group that is more prone to getting prostate cancer, e-mailed me: "After having four



PSA tests during the last five to six years, my last in August 2005 showed a trace of prostate cancer for the first time. It's really vital that men after the age of 50 have these tests done on a regular basis. It's been proven that prostate cancer kills more males in the world than any other disease. In fact, most males die not knowing that they have prostate cancer."

As men get older, they're certainly more concerned about this type of cancer, but we're learning to pay more attention to their health. Certainly in the 50 age group with women, more tests should be done, and I think we should look at what tests should be done more commonly for men. It is all about prevention and early detection.

It's more common in men over 50, men with a family history of prostate cancer, one or two first-degree relatives, such as a father or brother, and men of African ancestry. Certainly the family history—if we haven't been doing the tests long enough, they don't have that history or knowledge. Sometimes they do have the positive family markers that need to be followed in certain diseases.

My riding has the second-highest percentage of seniors in the province, Haliburton county having the largest seniors' percentage in Ontario. Being able to screen for prostate cancer is a matter of concern for many constituents in all areas of the riding, but screening means testing men who don't have the symptoms to see if they have prostate cancer. The reason for doing this, like other cancer screening techniques, is early detection.

The PSA test is just one of the early detection tests that can be done for prostate cancer. It's a blood test that measures a substance produced by the prostate gland called the prostate specific antigen, or the acronym PSA, and it tells doctors when patients have a higher than normal level of PSA. It usually means that the patient has a prostate problem, not necessarily meaning they have cancer. But again, it is a red flag to be followed.

For every 100 men over the age of 50 with no symptoms who have the PSA test, 10 will have a higher than normal level of PSA. These men must then go through other tests and examinations. At the end of these tests, three of the men with a higher than normal PSA level will be found to have prostate cancer. Seven of the men with a higher than normal PSA level will be found not to have prostate cancer at the time of screening. Of the 90 men who will have a normal PSA level, 88 will not have prostate cancer. One or two of the men with a normal PSA level will actually have prostate cancer, undetected by the test, that will cause symptoms.

So the test will identify some men who don't have cancer and also miss some men who do have cancer. The test might miss some people, but no test is perfect. In some cases, it will find cancer that would otherwise have been missed. Finding cancer early is key to successful treatment. Access to primary care and access to doctors is always a difficulty in some of our communities, but it's an opportunity to have these tests done.

Dr. Cornelia Baines was one of the women researchers who launched the national breast screening study in the

1980s. She observed that thorough professional breast examination, along with training in breast self-examination, is invaluable for women. At that point in the 1980s, there was no self-examination for men who worried about the possibility of prostate cancer. I think dealing with a blood test and going to a doctor's office is more comfortable for men to deal with and gives us a starting point into the possibility that they may have problems with prostate cancer. It's a decision that each man has to make, but I think there should be more awareness about early detection, the ease of having a blood test, and the fact that a man may have a family history, if he knows of it, and that he is more susceptible.

In 1997, the National Prostate Cancer Forum recommended that all men should have an opportunity to have the PSA test done. Right now, the fee associated with it is always a bit of a deterrent to accessing PSA testing. They might let it go and just not do it. So I think if more awareness is out there for men to weigh the benefits of having the test and not having to worry—I think worrying in medicine, the fear of the unknown, is a big deterrent to going and getting tested and hopefully relieving yourself that you don't have it. If the diagnosis is, unfortunately, positive, then you have to deal with it from there.

So we should be supportive of giving men the ability to choose whether or not to have the test without having to consider whether they can afford it, as was mentioned. Cancer Care Ontario will be coming to the government later this summer to ask for the funding commitment to allow for the use of Herceptin for women in the early stages of breast cancer, so I hope the Minister of Health will look seriously at that and at PSA testing for men. I'm pleased today to support the member from Thunder Bay-Atikokan for introducing this private member's bill.

**Mr. Gilles Bisson (Timmins-James Bay):** I want to say at the outset that the NDP caucus will be supporting this initiative. I think it's a good one and long overdue. Quite frankly, we know that the best fight that we have to try to allow people who may end up with cancer to live longer is to detect it while it's in its very early stages.

On that note, a number of you might have heard, I think it was last Saturday or Sunday—I was driving somewhere on Highway 11 to one of the community events—a very interesting program on CBC Radio where they talked to experts in the research field around this very issue. They talked about what kind of impact we have made over the last number of years, considering all of the money that's been spent in research, to try to figure out more about the disease of cancer and what can be done to combat it.

**1020**

It was quite interesting and quite revealing, because we've learned a lot, I guess, is what they were saying; however, we have really only scratched the surface. The gist of what they said through that entire interview—and there were people there from Cancer Care Ontario, researchers from British Columbia, from Ontario and others—is that we've been really putting our emphasis on

trying to cure the disease, and maybe one of the things we need to do much more vigorously is to figure out how to detect the disease at an earlier stage, because one thing they have learned through the science of medicine is that if you're able to detect cancer—most cancers; not all, but a lot of them—at a much earlier point, you're much better able to manage the disease and, many times, to be able to reverse the disease, and the person can go on to live a very long life.

We've all known people in our families where that's happened. We've known others in our families, unfortunately, where that has not happened. I know people, as everybody else does, who have gone out for prostate tests, have been detected at a very early stage, have had the opportunity for treatment, there has been no residual effect at the end of the treatment, and these people are still with us today. I think of the former Treasurer of Ontario, Floyd Laughren. Floyd was the Treasurer of Ontario back in about 1993 or 1994, and I believe it was a PSA test that detected the very early beginnings of prostate cancer. He went in for surgery and he's still with us today. He's in full remission from that particular cancer. So I think it goes to prove that you're able to really have a much stronger effect in combating the disease if we're able to detect earlier.

That brings me to where I want to go in this particular debate, which is, yes, we have to support this initiative and, yes, we have to make sure that the Minister of Health and the Treasurer of Ontario find the money necessary to do what other provinces are doing when it comes to paying for the PSA test. But I think one of the things that we need to also look at is the whole issue of lifestyle. You know, I'm 48 years old and I'm only now starting to come to terms with my mortality, and thinking to myself, "Well, you know, at one point you've got to get yourself under control when it comes to exercise, eating, all of those things," because we know that lifestyle is a great contributor to a number of diseases, including cancers.

One of the things that I thought was interesting as they talked on the show the other day is that there has been an increasing amount of cancer within our society, and I always thought it was because we're better able to detect. Because of our public health care system, when people are not feeling well they are able to get in to see a doctor, they're able to get into a hospital for treatment, and we're better able to detect that people have cancer. Maybe that's why we're seeing a higher rate. But obviously the other part of it is that a lot of what we eat and what we're exposed to in our environment are carcinogens that are basically there and putting people at greater and greater risk when it comes to contracting the disease of cancer.

There are various types of cancers, as we well know, that are out there, and as far as carcinogens that are out there that can cause cancer. So one of the things that we need to do is to empower our public health units, and I think the medical community generally, to become much more proactive. We've done that to a certain extent, but I don't think we're doing quite as much as we need to in

really trying to promote healthier lifestyles. We have to start at a much earlier age. We have to start in the schools. We have to make sure that children are better aware of what is proper for them to eat, what is healthy for them to eat. We're doing that to a degree, but I think we need to do more. You've got to get to the people who are within the workforce and people who are out there in our society and be much more aggressive as a government when it comes to types of campaigns to give people the idea that, at one point, you do have to get health styles under control. I think that's one of the things we need to emphasize.

It was mentioned on that CBC Radio program last Saturday or Sunday that they have done studies where they've determined that lifestyle is a determining factor, to a certain degree, when it comes to people contracting cancer. If people follow certain habits such as smoking, as an example, obviously they are at much greater risk of contracting cancer. But there are other things as well. They're looking now at a lot of the fast foods that are being consumed, the millions of burgers, at McDonald's and Wendy's and all these other places. They may not be the best thing for you if that becomes a major part of your diet. It doesn't hurt if you have a burger every now and then, but if people—and that's what happens. A lot of us, because of our lifestyles—we're busy, moving, we're always going from one thing to the other, it's eating in restaurants and probably eating what's not good for you. One of the things we need to do is to be much more aggressive in educating and encouraging the public to have a much healthier lifestyle.

It's happening to a degree. In fact, I was talking to Mr.—I should know; I've known him for years. Do you ever get a blank on a name?

**Ms. Scott:** It's a senior's moment, Gilles.

**Mr. Bisson:** Yeah, it's a senior's moment. Boy, I don't want to say the name, because I'm going to get it wrong. He's an owner of a Wendy's; they have 10 or 15 Wendy's in northern Ontario. The name is going to come back to me in a second. Anyway, I was chatting with him, and I said, "Is it just my impression that the fast food restaurants are getting much more conscious about offering the consumer salads and better types of food?" He said it is the case. In fact, he said, we're seeing that across North America; however, in northern Ontario less so. That tells us that we need to do some work in being more aggressive in all parts of our province in encouraging people to live healthier lifestyles. That's why I advocate that we need to do it through our public health system.

The other question is the issue of research. I remember thinking this stuff a long time ago and saying, "Well, by the time I get to be 50 or 60 years old, they'll probably have found a cure for cancer." Here we were, spending millions and millions of dollars, all of us contributing. I contributed to the various campaigns around heart and stroke and cancer and the Canadian Cancer Society and others. We always think that in the end there's going to be a great breakthrough, that all of a sudden we're going



to find a cure for cancer and we can take that dreaded disease away, or at least manage a great deal of it. It's a bit discouraging, because here we are, many years later, and we've made progress, but we really haven't made the type of progress that I think we were expecting to. We're still at the point where a number of cancers are very lethal and we know very little about them, and it's a question of just managing the disease in its end stages.

I'm not the expert, but it seems to me that we need to have some sort of a rethinking about how we fund research, a rethinking about how we're able to better organize ourselves so there is maybe a little bit more coordination in research so we're able to concentrate on those things that are closer to being discovered. For example, I was watching a program on public television—it might have been TVOntario or PBS; I forget which one—where they were talking about a new form of chemotherapy. Basically, they're now able to work at the nanocell level, where they create particular types of agents that they put into your body that attach themselves to a cancer, and then they zap you with—it's blue light or black light, some sort of light. It's a very, very directed type of chemotherapy, so that rather than the person being exposed to either radiation therapy or chemotherapy that attacks other cells of the body, this particular technology, which I can't explain because I don't quite understand it, is able to direct itself specifically at a cancer and no other organism within the human body.

I raise that because one of the things we need to look at, not only as a province but as a country and, I would imagine, along with other agencies that do work in the cancer study field, is that we need to start focusing our efforts on some of the things that may make a fairly significant difference on the research side. So (a) we should fund PSA tests—I think it's the right thing to do; and (b) we need to do a lot to encourage people to have healthier lifestyles so as to minimize the risk. But the other thing we have to do is start thinking about where we concentrate our dollars when it comes to the whole issue of research. That's not to say that we shouldn't do research in obscure areas, because that's where some of the biggest discoveries are made, but all I'm suggesting is that maybe we should be trying to focus some of our dollars, our precious resources in the study of cancer, in those areas where we think we're close to moving on discoveries. That's just an impression I have.

The thing I just want to close with is this. The other part of this whole thing is that we need to—unfortunately, there are many people in our society who contract cancer. I know a number of people now in our community, as I'm sure all of us here as MPPs do, where we know people who are being treated for cancer. Some of them will be very successful and will go on to survive the disease; others will not.

1030

One of the specific issues that we have in northern Ontario is the issue of treatment. I know the good member from Thunder Bay–Atikokan would share my view on this, which is that we really need, as a province,

to be a little bit more sensitive about how we deal with the ability of people to travel for treatment. Now, a lot of treatment is done in places like Thunder Bay, Timmins, Sudbury, North Bay, Sault Ste. Marie, at the major referring hospitals. For example, in the city of Timmins we do chemotherapy and others in order to manage the disease, but at times we need to have people transported to Sudbury or Toronto or even London for treatment, and it is difficult, as the member well knows.

Many people are not with a great amount of money. They're having to travel to, let's say, Sudbury for treatment or for a specialist appointment, and they don't really have the money to do it. The northern travel grant has not been adjusted in many years. The last time the travel grant was adjusted was about 10 or 12 years ago. It seems to me one of the things that we should be doing, especially in the case of—well, it should be in all cases, but specifically in cancer cases, because if I go to see an orthopaedic surgeon in Timmins as a referral from Kapuskasing, it's not life-threatening. It's probably once or twice, and that's about it. There's an examination prior to the surgery, and then the actual surgery that you go into. But people who suffer from cancer often have to travel quite a few times, quite ill, quite sick, to get to some of these appointments that they've got to get to for treatment.

So I would advocate that we need to be able to look at seriously increasing the northern travel grant so that it more closely reflects the actual costs that the individual has to pay in order to get to the appointment, as well as making sure that we cover the costs of the accompanying person, because as you well know, most people can't drive when they've just finished chemotherapy or a particular therapy that they may have had for the treatment of their cancer, and they have to go with somebody in order to make sure they're able to get back to wherever their home community is. So we need to have a northern travel grant that clearly reflects the actual cost that people have to spend when it comes to transporting themselves to and from their appointment. We have to be able to support the cost, as well, of the accompanying person who goes with them.

We've also got to look at accommodation to a degree, because you get it in Thunder Bay as I get it in Timmins, I'm sure, or Kapuskasing or Hearst, where people having to go for a specialist appointment or treatment have to pay a hotel room for one or two or three days. They're at my office saying, "I haven't got the money. I'm sorry. We're working folk. We live from paycheque to paycheque. My husband," or wife or son or daughter, "has contracted cancer. We're going to beg, borrow and steal to get there because we need to do it." It really puts families in very, very difficult positions. So I would hope the government will be serious in looking at the whole issue of the northern travel grant.

The last thing, and I just want to end on this note, my little bit toward public education, is that we should all be in the habit, especially as we get a little bit older in life, to walk into the doctor's office—if you're lucky enough,

in northern Ontario, to have one, as I am—or to walk into the medical clinic and go through an annual checkup every year. It is a lot better for the individual, as far as being able to detect diseases at a much earlier stage. If you have blood pressure problems or there's a PSA test that may indicate that you have prostate cancer or whatever, you have a much better chance of being able to survive whatever disease it is if it's detected earlier.

As well, over the long run it's much better for us as a province, because it means those people who have a real ability to contribute to our society will be with us longer. And in the overall cost to the health care system, it's much better to treat something at an earlier stage from a cost perspective than to treat it over a very long, protracted treatment that eventually ends with death. So it's much better for us if we're able to do that, and I would encourage people to at least once a year go and see their doctors for examinations.

**The Deputy Speaker:** Further debate?

**M. Shafiq Qaadri (Etobicoke-Nord):** Je demande la parole aujourd'hui pour vous parler d'un sujet qui me tient particulièrement à cœur. La plupart des gens ne savent pas que le cancer de la prostate est le type de cancer le plus fréquemment diagnostiqué chez les hommes au Canada. En moyenne, un nouveau cas de cancer de la prostate est diagnostiqué toutes les deux minutes 30 secondes, et un homme décède des suites de ce cancer toutes les 17 minutes.

En tant que médecin, j'ai constaté directement les effets dévastateurs de ce cancer sur les patients. Je peux dire par expérience que c'est un type de maladie qu'il ne faut pas négliger. En tant que législateur, je peux dire qu'il est nécessaire que chaque homme qui court un risque élevé de développer le cancer de la prostate ait accès au test PSA, antigène prostatique spécifique.

I speak to you in a dual capacity, not only as a man entering the territory in which I should likely get this type of test myself, but also as a family doctor for the past 15 years, as an individual who has published medical articles on this subject, and as well now, of course, as a legislator and the representative of Etobicoke North. I share with all who are listening that medicine, irrespective of its scientific basis, its research and its ever-marching expansion of knowledge, is to this day an imperfect science. Medicine has been called the most scientific art, and the most artistic science. That, of course, is part of the beauty and also the terror of medicine.

Specifically with regard to prostate, what this particular viewpoint highlights is that we need your help. We need not only for the public to be informed about this disease and others, we need not only governments to come forward and fund these types of diagnostic screening preventative measures, but we need to be aware that all our testing, all our education, all the scientific laser focus that even physicians bring to the study of medicine and to the study of prostate cancer is still imperfect. There is still a vast unknown of quantities that we cannot put our finger on. That's why we need to be assisted in

our efforts to diagnose, screen and prevent deaths due to this type of disease.

If you've ever met an individual who has not only had prostate cancer but has suffered from what's called metastatic prostate cancer—that is, of course, a cancer that has left home, that has left its primary location and spread elsewhere, most often to the spine, say, the bones of the spine—that is a disease that is on the increase, meaning metastatic, terminal-level cancer of the prostate, and it's a tragedy, because any physician who meets such a patient knows that it is entirely preventable.

As my colleague from Thunder Bay—Atikokan very appropriately said, it's not only the base level, the number that you get back on your test; it's also the velocity or the speed of the change, which we would be able to measure on a yearly basis if you allow us to do the test and you fund it, which is a very important indicator for potential development of cancer. That's why we should not, as a government in Ontario, continue to offer this slight little barrier of not covering under the Ontario health insurance plan the \$25 or so that it costs to do this test.

Colleagues of mine here have also spoken eloquently about the need for prevention. That is very, very true. This is a particular case of a disease which absolutely, in 100% of cases, would likely be prevented not only with the use of this particular blood test, but also the other modalities, including a history, a physical examination, possibly a pelvic ultrasound, and so on. Of course, there's a whole protocol to the management of prostate cancer.

What I would like to share with you in closing is that unfortunately, first of all, cancer in general—all cancers—has now become the number one killer in North America. This is occurring now for the first time, overtaking heart disease and cardiovascular causes for the first time. Prostate cancer is very much a part of that.

I quote the senior Dr. M. K. Qaadri, who happens to be my mother as well as a gynaecologist, who said to me yesterday, "If women's pap smear tests are covered by OHIP, then why are men's prostate cancer tests not covered by OHIP?" I have no answer for her.

**1040**

But I hope, Speaker, with your support, and with the support of members of this Legislature, to be able to report back to her that we in the government, forward-looking, making use of the best practices and being fully aware of the march of medical science as well as the art of medicine, have actually begun to cover this particular test.

As my colleague from the NDP said very clearly, we as doctors need to get in all the citizens of Ontario, on a reasonably regular basis, for screening tests of various kinds, whether it's blood pressure, sugar, cholesterol or, certainly for men over the age of 50, the PSA test.

**Mr. Phil McNeely (Ottawa—Orléans):** I'm pleased to have the opportunity to rise in support of my member from Thunder Bay—Atikokan on this very important subject. I suspect that many of the younger male mem-



bers don't really think too much about PSA tests and prostate cancer, and I guess I don't blame them. I can tell you, though, that when you get older, these things start weighing on your mind.

My brother Frank died from prostate cancer when he was only 57. If he had been tested early, he would probably be alive today. This disease is curable, but the reluctance to have the test is out there.

When you hear statistics that say that one in seven men is expected to develop this potentially deadly disease in their lifetime and that 1,300 men will die this year because of this disease, it makes you stop and think.

Of course, knowing that there's a test that can detect prostate cancer before it becomes lethal gives men a sense of security. At least we can all go to the doctor and have a checkup, but that test will cost you \$25. It seems that if it's done in a hospital and is recommended by a doctor, it's free. Now, that seems to me a ridiculous setup.

I don't think that anyone would say that \$25 is too much to spend when it could potentially save a life. I think people would say that such an important test should be covered, like other tests, under OHIP. It seems logical that if a test can detect prostate cancer early enough to treat it, all men should be having this test and OHIP should be covering it.

I understand that there are arguments that say this test should not be covered. One of the most common arguments is that the test can return false positive indications of cancer, which in turn causes undue stress on patients. That happened to me two weeks ago, so I know what that is like. But if a positive result is reported, that result can be confirmed through other means: additional testing procedures. That was the case with me. I got the good news yesterday when I went to my doctor just on Bay Street. It's very personal to me. Given the options, we should be including that test as an insured test.

Some people have argued about the high cost of covering the test under OHIP, but evidence points to the contrary. A study conducted in 2000 showed that there would actually be a saving of \$24 million to the government if the tests were covered. Right now, it costs \$16,000 for a radical prostatectomy to cure diagnosed prostate cancer before it has spread. To treat a patient after it spreads costs \$32,000, but probably a lot more than that when it moves, as was described by Dr. Qadri.

I believe that one of the best aspects of this bill is that it would make the choice to get tested easier for all men. A \$25 fee for a test does not sound unreasonable, but it certainly can be a deterrent, and it is a deterrent. I think that should be remedied by this bill, and remedied as quickly as we can. It would remove some of the hesitation the doctors probably have to suggest the test to people.

The majority of doctors support insuring this test. I don't have enough time to list all the medical groups that believe this test would help save lives, but they've all been supportive.

Our government has made great strides toward ensuring that Ontarians get the health care they need.

Whether it be through reduced waiting times for major procedures, introducing family health teams and making sure that people get the care they need close to home, our government is working to provide the best health care to all Ontarians. After many years of neglect, we are giving our health care system the boost it needs.

This bill is in line with the goals of our health care transformation. I believe it would complement our government's efforts and make a great addition to the host of improvements we are making to health care.

Simply put, PSA tests save lives, PSA tests save money, and PSA tests are recommended by doctors.

I appreciate having been given this time to speak on this very important bill and urge all members to support it.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** I thank the member from Thunder Bay–Atikokan for the opportunity to speak for a few moments on this bill, which is certainly supportable, Bill 201, An Act to amend the Health Insurance Act, so that PSA testing is covered by OHIP.

It's a very straightforward concept. I think even the pages in this room today would understand it. As a child growing up, my father always said to me, "Make sure you brush your teeth." I often used to question, "Why do I have to brush my teeth every night and then every morning?" The reason became clear years later that it was prevention. You brush your teeth when you're young and you brush them regularly, and that way you prevent getting tooth disease or cavities. In the same sort of sense, we're doing the same thing here. We're providing for prevention of potential disease, or at least catching that disease at an early stage: prostate cancer.

It makes a lot of sense to support this. The way it has been brought forward is straightforward. Dr. Qadri spoke to the issue of how this is allowed for with women's pap smear testing, and this would be something fair and equitable, to allow treatment for men who potentially could catch this form of cancer.

I introduced a private member's bill about two months ago that had to do with gender-based pricing and making sure that men and women were charged equally for things like dry cleaning, haircuts and other items, for the same amount of work that was being done. I was questioned by some critics, who said to me, "Well, you're defending women's rights and not men's rights here. You're trying to help women out by giving them dry cleaning costs that are better or cheaper haircuts or making sure that alterations on their suits are covered the same as they are for men. What are you doing for men?" My answer then was the same as my answer today: That bill was about equality and doing what was fair, just and right, and this bill is the same. It's doing what's fair, just and right. It's not a matter of whether you're doing something for men or for women, but it's doing what's fair and what's right. Having this procedure covered by OHIP is fair, equitable and right. It allows for prevention. It allows for future cost savings.

I always remember a commercial that I used to see years ago on television about an oil filter. This mechanic

would come out and say, "Once again, this car engine has broken down, and the reason is that the person who owned this car didn't change the filter." I don't know if it was an air filter or an oil filter, but it was a filter. The mechanic would say, "If you change the filter regularly and maintain it properly, then you won't have a broken engine years down the line. So you can pay me now"—

**Mr. Jeff Leal (Peterborough):** "Pay me now or pay me later."

**Mr. Berardinetti:**—"or you can pay me later," as the member from Peterborough has pointed out.

In the same sense, the small expense of covering this test here, like a pap test, is a way of saying, "Pay me now instead of paying me later." The expense now of having the tests done are much lower than the costs later, the tens of thousands of dollars of having to go through surgery or radical treatment to deal with prostate cancer, which is such a hard-hitting and growing form of cancer in Ontario and throughout the world.

I certainly am supportive of this bill and hope it goes to second reading and eventually becomes law.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to join in the debate. I want to let the member know that I will certainly be supporting this bill, and on canvassing my colleagues in the Progressive Conservative caucus, I can also confirm that he will have their support on this bill.

I want at the outset to commend my colleague Joseph Tascona, from Barrie-Simcoe-Bradford, who presented a very similar resolution to the Legislature on December 7, 2000. At that point in time, it was supported unanimously by the Legislature. Unfortunately, it was never implemented, and the government of the day, I regret to say, did not follow through on the wishes of the private member's hour.

1050

I want to frame the rest of my remarks with a letter that is dated April 8, 2005. It was from the Retired Teachers of Ontario, and it's addressed to Dalton McGuinty, the Premier. It reads as follows:

"On behalf of the political action committee of the Retired Teachers of Ontario, we are seeking an update on the position of your government related to the funding of the ... PSA test.

"In November 2002, in your then role as opposition leader, you responded to a similar inquiry ... with the following statement: 'In light of the fact that physicians are ordering the test because they view it as a medical necessity, the Ontario Liberals believe it should be made available to patients free of charge.'

"As it has been almost a year and a half since your government was formed, our political action committee is anxious to know when you plan to make the PSA test available, free of charge, so we may share this information with our 55,000 members. We hasten to point out that this is indeed a gender equity matter."

The Premier has made the commitment. It is a promise of the Premier. It is unfortunate that some two years later now, it takes a private member's bill to remind the Premier of his promise to in fact make this important test

free of charge, available through OHIP. The Premier is clearly on record as saying that's what he'll do. I fully expect that this bill will be passed today. I fully expect that the Premier will be reminded, and I fully expect that we will hear the Minister of Health stand in his place and make this important announcement to ensure without further delay that this matter is resolved once and for all.

I want to point out that not only is the Premier in support of this, but certainly members of the current cabinet and others who are now the government who have the opportunity to make this decision are clearly on the record as supporting this. I want to read into the record comments by Mr. Jim Bradley from St. Catharines. This was in the course of debate on Mr. Tascona's resolution in December 2000:

"I am going to be speaking in favour and voting in favour of the resolution today. I'm going to deal primarily with what is in provincial jurisdiction, as I believe we very often and unwisely spend a lot of time dealing with the federal jurisdiction." He goes on to say, "I want to deal with the test itself. I raised this issue about the PSA test in a question to the minister on December 17, 1998. I happen to believe the PSA test should be available to men who wish to have that test, at no cost—it's as simple as that, in my view—just as other tests are available for other reasons."

That question, that the current Minister Bradley referred to, was indeed put to the then Minister of Health. I quote the December 17, 1998, Hansard. He says to the minister, "Why is it that this government is forcing men in this province to pay for the PSA test, which could prevent them from getting cancer or detecting cancer early?" The minister referred in her response to the fact that unfortunately, it's not a political decision, that there are others within government who make that decision. Well, I hear from the Premier, and I know from the confirmation that I'm hearing from members of the Liberal caucus today—they would not have brought this forward without consultation with the Premier and with ministers on the front bench—that they are giving us a great deal of confidence today to know that when this bill is passed, we will see the minister stand and make this important announcement that PSA tests from this point forward will in fact be covered by OHIP.

I received a number of e-mails just recently from my constituents as well. I want to read into the record a letter from my constituent Mr. George Butcher of Richmond Hill. He writes, "Thanks to regular (annual) PSA testing I am alive today. What if I chose not to pay the \$20, or if my doctor had not chosen to support this testing? I consider myself lucky that I could afford to pay for these tests and that my doctor sees the light. Those that can't or won't pay the \$20 are costing the province, you and I, millions of dollars in medical treatment, not to mention their lives, that might have been avoided. Please support the inclusion of the cost of this testing in the Ontario medical coverage.

"Thank you.

"George Butcher"



To him, I say that I certainly am supporting this resolution today and will support and applaud the government for doing so.

Another letter I received is from Mr. J.E. DeToro of Richmond Hill. He writes, "I am very concerned that the cost of PSA testing in a doctor's office or testing lab for men who have not been diagnosed with prostate cancer is not covered for several reasons. The cost could be a factor for many men. In addition, the fact that OHIP does not cover the test implies that it is not useful or valid. Finally, the cost is covered when the test is carried out at a hospital, but this could make some men less likely to have it performed because of the added inconvenience." He goes on to encourage this government to proceed with ensuring that the PSA test is indeed covered by OHIP.

I want to say very clearly that this is an opportune time for the government to act. There is now before us this private member's bill, and I encourage all members of the Legislature to demonstrate unanimously their support for this initiative.

I thank those who have been lobbying over the years and who have not given up on this issue. It is very clearly something that needs to be done. There may be immediate short-term costs, but as we've heard in debate today, what we invest today in this test will save multi-millions of dollars in future health care costs in this province, and for that reason, I am pleased to add my support to this.

In closing, I want to just say to you that I'm pleased to have with us today in the gallery students from St. Joseph Catholic Elementary School in Richmond Hill. It's their opportunity to observe procedures in the Legislature and to see first-hand how important decisions are made in this province.

**The Deputy Speaker:** Mr. Mauro, you have two minutes to reply.

**Mr. Mauro:** I'd like to thank my colleagues who have spoken today on behalf of this legislation: the members from Haliburton—Victoria—Brock, Timmins—James Bay, Etobicoke North, Ottawa—Orléans, Scarborough South-west, and Oak Ridges.

This is my first private member's bill here in the Legislature. It's not a decision that I took lightly, in terms of what it was that I would bring forward. I thought about three or four potential ideas and settled on this one, as I've said, not lightly.

There are, depending on who you speak to, cost implications associated with this. There are arguments that would suggest there are cost savings that would accrue to the government should we begin funding the test. But like many of the other members in this Legislative Assembly, I have a regular stream of visitors who visit me on health care issues in my constituency offices in Thunder Bay and Atikokan. This is only one of a myriad of issues that we have to deal with. Part of what I talk to these people about is the fact that there are a whole range of things that we do not fund, as a government and as a province—people think that under our OHIP plan, we pay for everything—and I list for them the things that we

do not pay for. This is one of them. We talk to them about the fact that our health care system in this province takes up anywhere from 40% to 50% of our total provincial budget and continues to rise. The pressures on our health care system are incredible.

Having said all that and having digested all of that, I still feel that this test is necessary, and we need to find room within our health care system to fund it. Our agenda in health care is about transforming what's going on. It's about prevention. It's about refocusing in areas where we can make long-term improvements. For that reason, I feel that this is an appropriate test and that we should fund it.

I thank all who have spoken on behalf of it. I appreciate your support.

1100

## RURAL ONTARIO DAY ACT, 2005

### LOI DE 2005 SUR LE JOUR DE L'ONTARIO RURAL

Mrs. Mitchell moved second reading of the following bill:

Bill 199, An Act to celebrate and recognize rural Ontario / Projet de loi 199, Loi visant à célébrer et à reconnaître l'Ontario rural.

**The Deputy Speaker (Mr. Bruce Crozier):** Mrs. Mitchell has moved ballot item number 74. Pursuant to standing order 96, you have up to 10 minutes.

**Mrs. Carol Mitchell (Huron—Bruce):** Members of the House know, as do you, Mr. Speaker, that I represent the most rural riding in the province of Ontario, so I know first-hand what it is like to live, work and raise a family in a rural area. I'm very proud of our rural communities. Rural Ontario is the key to the health and vitality of our province, and this bill will recognize rural Ontario's strengths: hard-working people, various economic opportunities, beautiful natural resources and a solid sense of community.

As we approach June 21, the day to be named Rural Ontario Day, I wish to outline the purpose of the bill. This will be a day when we reflect on the contribution rural Ontario has made to our province and to highlight its great potential.

The people of the First Nations opened the vast forests of Ontario. They were the pioneers who began to unveil the riches of the land. Their trio of crops—corn, beans and squash—were the first steps to not depending on hunting and fishing. Their technology had its limitations, and it was not until the Europeans decided to settle that the rural area started to open up. They were French settlers along the St. Clair River and then the influx of the Loyalists. The history of Upper Canada is the history of rural Ontario.

Our communities became strong as we faced and overcame the obstacles which geography created. Group action and innovation were the hallmarks. Working together for the common good is the thread that runs

through rural Ontario. Rapid advances in technology made the land more productive and made transportation economical. In the 19th century, towns and villages sprouted across the land.

But progress was the word. Business followed the settlers, and manufacturers emerged to meet local demands. Schools and churches were built at almost every concession crossroad. If you look at the dates on the buildings in our small towns and villages, you will note the date of construction. The early 20th century was the time when rural confidence manifested itself in very impressive local structures. Main Street in many smaller towns has many architectural gems from this time. The buildings showed a sense of achievement and confidence in the future. This period ended, and the solemn cenotaphs in many of our communities mark the contribution of the rural youth in the war to end all wars.

The 20th century has seen great changes in our rural countryside worldwide. Again, it is technology that has triggered the changes. The population has shifted from a province where most of the population lived in rural areas to the present where most of the population lives in cities. In the 20th century, the population began to shift from the rural areas to the city. Technology was a major factor in making the urban areas more important economically. Since the beginning, there was always a gulf between the urban and rural areas, but technology has changed this. Just as the first railways, the highways brought produce and they brought people to the cities. Now technology has reversed that flow and, as the world becomes global, first radio, then television, electricity and now the Internet, they have reduced the distance and the differences between our urban and rural communities.

That brings us to today. Throughout the past years, many things have thrived in rural Ontario. Our rural people, when ignored by the big financial institutions, have turned to themselves to create solutions. They have invested in their own innovation. Credit unions, mutual insurance companies, independent phone companies—that's our rural Ontario. As well, I would like to highlight our unique health services.

As you know, most people in rural areas have to travel a great distance to get to a hospital or a health care provider. This circumstance is something for our people to overcome. Many community groups have gathered together to offer more modern services much more efficiently.

Many of our rural schools also face unique challenges. Low enrolment and threats of school closures hang over their heads. As well, busing expenses are high because of the large geographical area they need to cover, but, I must say, in small, rural schools, the families and the teachers work together to form a community.

I also want to mention the beautiful landscape and green space rural Ontario has to offer: lakes, rivers, forests full of trees and wildlife, fields full of fresh produce, provincial parks and farmland. Many people from urban centres travel to our rural areas, especially to view the beautiful landscapes that rural Ontario has to

offer: hiking trails, sunny beaches, hunting, boating and fishing. The land remains our most important influence and factor in our rural areas. Technology may change the means of making a living off the land, but the land is the essence of our rural way of life. It is the bond with the land that makes rural life that much different. Even if one does not earn one's living directly from the land, its importance is always felt in our hearts.

This brings me to the summer months. Many exciting things happen in rural Ontario during warm weather months: live theatre, fairs, festivals, concerts, just to name a few. Many people take advantage of attending these events and always leave with a smile on their face.

As I end my introduction, I would really like to recognize and highlight the strong sense of community small towns and rural communities thrive on, as well as the many wonderful volunteers who are committed to maintaining the high quality of life we all enjoy. There are many organizations that are formed, mainly to strengthen the voice of rural Ontario. Rural Ontario has many committed people, diverse economic opportunities, plenty of natural resources and a thriving sense of community. Rural communities contribute to a high quality of life for all of Ontario.

Through my private member's bill, I would like to declare June 21 as Rural Ontario Day. This date marks the beginning of the summer solstice and the first day of summer. Rural Ontario comes alive during the summer months. Thus, I thought it was an appropriate day to recognize all of the great accomplishments and potential growth that rural Ontario has to offer.

I would like to just read a short note that was sent to me by one of my colleagues, the member from Stormont—Dundas—Charlottenburgh:

"Congratulations on your work to declare June 21 as Rural Ontario Day, through your private member's bill, Bill 199.

"I too believe that it is important to celebrate the rich history, the current endeavours and the future growth of rural Ontario. You are right on the mark with this initiative.

"Unfortunately, I have to be in the riding ... and will not be here to support you and the bill in person. I wish you well and I appreciate all your efforts and words of support for rural Ontario."

I have also received letters of support from the Ontario Rural Council and Black Creek Pioneer Village. I also want to bring to your attention that June 21 is National Aboriginal Day in Canada.

The Rural Ontario Day Act, 2005 will help protect and recognize rural values and culture. This day will recognize those who have made a commitment to strong rural communities. It will highlight the rural way of life and reflect on its unique attributes. It is important to celebrate the rich history, current endeavours and the future growth of rural Ontario. The passing of this bill will demonstrate Ontario's recognition of rural Ontario.

At the beginning of this speech I spoke of the potential of our rural areas. We can combine the latest in new



technology with the benefits of rural living and create a quality of life that is second to none. The importance of this bill is to make all of us aware of our rural roots and how this will continue to be a major factor in the well-being of all of Ontario.

I am very proud to represent rural Ontario and I hope that my colleagues will support me in recognizing Rural Ontario Day, that day being June 21.

1110

**Mr. Ernie Hardeman (Oxford):** I rise today to speak in favour of Bill 199, introduced in the name of the member from Huron-Bruce. I want to say that I much appreciate this opportunity to support the recognition of rural Ontario as a part of our economy.

In 1952—this goes back a fair ways—my father decided that the possibilities and the future of agriculture in the Netherlands were not sufficient to be able to raise his family and live the rural lifestyle that he had there at that time. It was different than it was here; it was an issue of there not being enough room for the population to stay living in the lifestyle of a rural community, so he came here. Now, of course, things have changed. At that time, there was not enough coming out of agriculture to sustain a family, with the input costs and the cost of land. Since then, of course, it has changed. It's one of the highest-subsidized countries in the world when it comes to agriculture. At that time, when he came in 1952, there was no support here in Ontario, but then again there was no support needed here in Ontario. Times have changed since then. I'm still glad that he came to Ontario and to Canada, because that's why I'm here today. But again, when you look at what's happening in agriculture, I'm sure that the people who are in agriculture today would look at the problems here as being similar to the problems that were there in 1952.

Also, it's a pleasure and a privilege to be here to represent the great riding of Oxford county. I just want to point out that Oxford county is the second-highest agriculture-producing county in Ontario, second only to the county of Huron, represented by the member who has introduced this bill. Of course, we will keep pushing to try to produce more than Huron county, because we're always wanting to be number one. That's a trait of rural Ontario, that we all strive to do better.

The farmers have spent a very testing, shall we say, winter, as the commodity prices stayed down and with other problems they had. Then the sun came out and it was time to go to the fields. I go to the farmers now and everybody is forgetting about their problems and getting enthused because they are back out in the fields, feeling like this is going to be the best year ever, even though all signs would suggest that that's not likely to happen.

As I said, I live in and represent the rural riding of Oxford. For the first time since industrialization began in Ontario, more people are moving out of the cities than into the cities. At the same time, the introduction of highly mechanized farms means that less than 3% of Ontario's residents are directly involved in farming. According to statistics, fully 25% of rural residents are

now people who have moved from urban areas to enjoy the lifestyle that rural Ontario has to offer. Expanding technologies such as fibre optics and the Internet are providing new opportunities for workers to communicate from rural communities. No longer do people have to live in big cities in order to support their families.

I'm glad the member opposite wants everyone to recognize the importance of rural Ontario and its contributions to our economy. Obviously, Ontario is not just agriculture; it's a lot of other rural residents. But I do hope the government will recognize the importance of agriculture to rural Ontario the other 364 days of the year, not only on June 21.

As I said yesterday, when I spoke on John Tory's motion asking all members of the House to recognize and endorse the fiscal and social value of Ontario's agricultural industry and the rural way of life that surrounds it, I don't believe the McGuinty Liberals understand nor support the rural way of life. The best way to support rural Ontario is to support agriculture and make it sustainable. In May 2004, the Liberal government saw fit to remove \$128 million from the Ministry of Agriculture's budget. It was the biggest cut of any ministry, over 20% of their budget. Again this year, the Ministry of Agriculture and Food had its budget cut by 23.1%. Is this a government that supports agriculture in rural Ontario? I don't think so.

Let's take a moment to review this. Instead of making agriculture a lead ministry as promised in the Liberal election platform, they not only reduced the ministry's budget but cut important funding programs that farmers desperately need. During the election, Dalton McGuinty promised to work with farmers and the federal government to ensure a viable new generation of safety nets and to develop a new research strategy for Ontario's agriculture. But instead, the 2004 budget delivered a \$50-million cut to safety net programs and slashed almost half a million dollars out of research and technology funding.

Here we are today with the same story as last year. The new CAIS program does not work without companion programs, and they were phased out in the agricultural policy framework. And of course there is no money in the budget to fund those programs next year.

No one in the McGuinty government seems to be listening to the farmers. Sad to say, the situation hasn't changed. Farmers are in crisis. The Minister of Agriculture has no plan—no short-term plan and no long-term plan—only the promise, again, to study the situation.

It's important that the government develop a plan to ensure that rural Ontario communities thrive. We have to ensure that more health care professionals and services are available, that people are well educated, that young people can find close to home what they need for their future—skills training, access to higher education, apprenticeship programs and well-paying work—so they can make acceptable lives for themselves in rural communities. I've said to all who will listen that we need to recognize that rural Ontario is the key to the health and viability of this province, and not only on June 21. But this bill will help to do that.

Our rural communities contribute to a high quality of life for all of us. The success Ontario enjoys today as the economic engine of the country is greatly owed to the strengths of our rich agriculture, forestry, mining and manufacturing sectors. In fact, many auto parts manufacturers and their suppliers are located in rural Ontario. There's one large assembly plant located right in the second-highest agriculture-producing riding in the province of Ontario, Oxford county.

Municipalities recognize the importance of rural Ontario, and through the Rural Ontario Municipal Association have for decades ensured that matters which affect rural communities are brought to the attention of the provincial and federal governments. During my time as a municipal politician, I had the pleasure of being the chair of that organization. The issues that ROMA monitors on behalf of agriculture and rural communities include extensive livestock operations, nutrient management, rural schools, commodity prices, farm taxation, economic development, roads, bridges and infrastructure, and ambulance services in Ontario. If municipalities, through ROMA, can recognize the importance of the role agriculture and rural Ontario play in the economic viability of the province and can bring it to the province, it's hard to believe the answer to their concerns is budget cuts to the Ministry of Agriculture.

I have concerns with what the Liberal government is doing to agriculture, and I once again speak to the issues I raised yesterday, issues such as the very serious ones hurting beef farmers, who are still suffering from the 2003 BSE crisis. The borders are still closed to live cattle. Beef and dairy farmers are suffering extreme financial hardship. Spinoff industries, processing industries and whole communities are still suffering. But the minister thinks funding can be reduced.

There were reasons why our government did not sign the agricultural policy framework as it stood. It was not good for Ontario's farmers. The minister signed it without any changes, only promises to review it in a year, with no commitment from the federal government to help fund the companion programs that are needed.

The Minister of Agriculture is quoted in Hansard on November 23, 2004, as stating, and I will say it once again, "As you know, Ontario's agricultural sector is the most diverse in the country of Canada, and these companion programs play an important role in addressing the unique needs of this province's agricultural industry. Securing the continuation of these programs over the short term is a key element in moving us closer to our vision of a strong and sustainable agricultural sector." Obviously this is not happening, as there is no money in the budget to cover the cost of putting those companion programs in this year. The Minister of Finance obviously didn't agree that companion programs are important to farmers; the recent budget, as I said, doesn't include any funding for them.

With massive cuts to the budget, the ministry will no longer be able to sustain the support which was invaluable to the farmers of this province. The minister will

deny the reductions, but we only have to look on page 29 of the budget, where the Minister of Finance cut agriculture by 23.1%. I ask again, when is the Minister of Agriculture going to admit that he's at the mercy of his urban colleagues?

1120

Having said all that, I do want to support the member from Huron-Bruce in her endeavours to recognize rural Ontario, but I have to say once again that I support rural Ontario and agricultural communities for 365 days of the year; one day is not enough. I hope that your Liberal colleagues who support June 21 as a special day for agriculture will put the pressure on the government to recognize it, as I do, 365 days of the year. So again, we thank you very much for introducing this bill, and I can assure you, I will be supporting it.

**Mr. Peter Kormos (Niagara Centre):** I'm pleased, as a member of the New Democratic Party caucus, to speak to this bill this morning. I want you to know that Mrs. Mitchell has the support of the New Democrats in her pursuit of June 21 as Rural Ontario Day. I say to you as well that Mrs. Mitchell has demonstrated herself to be a capable voice for rural Ontario, for agriculture. She is joined by colleagues within her own caucus for whom I also have regard, people like Maria Van Bommel, who I know to be the member for Lambton-Kent-Middlesex. I not only know her to be the member for Lambton-Kent-Middlesex, but as the member for Lambton-Kent-Middlesex, I know her to be another passionate voice for rural Ontario and for hard-working women and men and their families—inevitably their families—working in agriculture.

My riding down in Niagara Centre is a mixed riding of small-town Ontario and very much rural and agricultural Ontario, and I think it's important to highlight the needs, because rural Ontario has some very, very special needs—needs that are becoming increasingly desperate because the clock is ticking and, if I dare say it, ticking at a furious pace for people in rural Ontario.

There's the rural Ontario of southern Ontario and then there's the rural Ontario of the north, of the ridings in places like Timmins-James Bay and Kenora-Rainy River: Kenora-Rainy River, a rural riding, make no mistake about it, larger than the country of France; Timmins-James Bay, a rural riding, make no mistake about it, with communities so isolated that one's only access to them is either on the icy shores of James Bay and Hudson Bay in the wintertime or by charter flight. I don't have to tell anyone in this chamber—I certainly hope I don't have to tell anyone—about the desperation and the tragedy of the unmet needs of communities like Peawanuck and Attawapiskat, those very remote communities, those native aboriginal communities, in that very rural far north riding of Timmins-James Bay, among others.

So rural Ontario is not an homogenous thing, and it's not a simple thing. It's a very complex thing and, again, there are many rural Ontarios in Ontario. One of the pressures that I'm well aware of where I come from



down in Niagara is the tension between urban areas and rural areas. One of the struggles that we in Niagara have fought for many years, and continue to fight, I tell you, is the effort to preserve agricultural land. One of the dilemmas is that it is the farmer who is the most capable steward and preservationist when it comes to agricultural land, but the farmer is being undermined on a daily basis. How much longer can we expect the farmer and her or his family to subsidize our food, to subsidize the contribution to the environment, to cleaner air and cleaner water, that agricultural and undeveloped land create? It's not a matter of how much longer we can expect them to subsidize it or call upon them to subsidize it; it's a matter of how much longer they can afford to subsidize it. The capacity of that farmer and her or his family to subsidize urban Ontario is no more.

Yet we condemn the farmer and put hurdles in front of that farmer who would dare to suggest that maybe—the severance of a small piece of land to enable them to live out their retirement years is not to be permitted by virtue of the arbitrary greenbelting of Ontario? Nobody disputes or disagrees with the concept of greenbelting, but I'll use Niagara and the instance of grape growers for as good an example as any about how there are other ways that are far more effective than legislated greenbelts.

Let me put this to you: I had occasion to tell you yesterday in this chamber, and you may or may not know it, Speaker, that Ontario wine, wine in our LCBO stores called Ontario wine, more often than not has not just 10% or 20% foreign content, but over 50% to 60% foreign content. It's cheap plonk that's being shipped in from South America, where the standards around pesticide use are virtually non-existent—so we should be fearful about what we're ingesting when we drink this stuff—where the conditions for workers are far less regulated, if regulated at all, and where the shipping of this juice, by ocean-going ships from Chile to Toronto harbour, gives more than sufficient opportunity for that grape juice to be corrupted in so many ways.

Yet the government will not act on this simple proposition. It won't cost the taxpayers a cent. The government won't have to reach into its revenues, its budgetary situation, to merely say that any wine that's called Ontario wine has to be 100% Ontario wine; not 80%, not 90%; but 100% Ontario wine, Ontario juice, Ontario grape. That move, in and of itself, would bolster grape growers, not only in Niagara but down where you come from as well and across this province, and put them back in a situation where they are making a little bit of profit, a little bit of real income, net income, on their grape-growing operation. It is a fraud on the public to mislead them into believing that something is an Ontario product when it can be as much as 70%, and in some cases even more, foreign product in its content. Grape growers could be given an incredible respite from the pressures on them.

As I say, requiring that Ontario wine be 100% Ontario grape and 100% Ontario juice will do more to sustain the scarce, valuable agricultural land that these vineyards are

on than any legislative move this government or any other government could ever develop.

I know that the author of this bill, Ms. Mitchell from Huron-Bruce, would support that proposition. I know she would lobby her colleagues to support that proposition.

### 1130

My concern is that the Premier's office—Mr. McGuinty and his gang of minions—thinks that the province of Ontario begins and ends at the intersection of Yonge and Bloor and has no real understanding not only of what rural Ontario is but even where it is, and not only where it is, has no understanding of what its needs are and how desperate those needs are—because they are desperate. There's an urgency to this. While I applaud Ms. Mitchell for understanding that, I condemn the Premier for turning his back on rural Ontario, on agricultural Ontario.

Reference, I'm sure, has been made already this morning—I know it's been made because I sat here listening to the comments by Mr. Hardeman from the riding of Oxford when he referred to that now-notorious page 29 of Ontario's most recent budget papers. Page 29 is the top 15 list. It's Dalton McGuinty's top 15. It's his top 15 list of ministries that have been cut, slashed in terms of funding. And number one on the list, at the very top of the list, first and foremost, the ministry with the largest single cut across the board, make no mistake about it, is none other than the Ministry of Agriculture and Food. The government, in its budget papers, page 29, actually has the chutzpah to brag about it, to say, "Look how we're slashing costs": Ministry of Agriculture and Food by 23%. Top of the list.

That is an incredible insult, it's an incredible assault on rural Ontario and on those farmers and their families who work so hard, who work such long hours, who have such incredible commitment to feeding the people of Ontario and Canada and to sustaining the second-largest single industry in this province. It is, isn't it, in terms of its economic activity?

You know what, with this government's lack of concern for the future of, amongst others, General Motors employees in places like St. Catharines and its lacklustre participation—well, "less than stellar" is generous; its lack of participation in and support for the aerospace industry—and we saw what that did to us a couple of weeks ago, didn't we? Major production leaving Ontario and going to Quebec. From the period of 1995 to 2005, the last 10 years, the Niagara region has lost 10,000 manufacturing jobs. So we'd better be darned careful about agriculture, because if agriculture currently is number two in the economy, it could well become number one in short order, by default. That's not to say that California isn't prepared to feed Ontarians or that South America isn't prepared to feed Ontarians, whether it's with fruit or vegetables or chickens or other forms of poultry, other forms of meat product. Sure they are. But once you relinquish your ability to feed yourself, I say that is the most significant attack on sovereignty that could ever be performed.

I know that rural Ontario isn't just about agriculture, but agriculture is all about rural Ontario. So I applaud the sentiment but I abhor the "Oh, I feel your pain" aspect to merely saluting rural Ontario. I join others in this chamber who have already spoken to this bill and made it very clear that if we are to celebrate rural Ontario, it's not just about passing the bill and making June 21, the solstice, a provincial holiday. I'm wondering, should this bill go to committee, if Ms. Mitchell would consider making it a statutory holiday. That way—think about it—workers across Ontario can have the opportunity to spend time with their families, travelling to rural Ontario, taking a look at what's really going on.

Ms. Mitchell, you're on to something. Not only should June 21 be a day celebrating rural Ontario, it should be a statutory holiday. Lord knows, workers in this province, working harder and longer than they ever have before, need one. You would have earned yourself so many friends in so many places here in the province of Ontario.

I look forward to the chance to vote for this bill.

**Mr. Jeff Leal (Peterborough):** It's indeed a pleasure for me to have the opportunity to get a few remarks on the record with regard to second reading of Bill 199, An Act to celebrate and recognize rural Ontario.

Just to start off, I was pleased last April to get a resolution through the House that was passed unanimously to support that MPPs go back to the farm once a year, and I look forward to having my second tour this September to visit a number of farms in the riding of Peterborough, which is a riding that basically has a 60-40 split: 60% urban and 40% rural. It's always great to get back and spend a day on the farm with a number of the farmers in my area.

But it is important to celebrate the history of the farm community. When you go back to the First World War, the bulk of individuals who joined the Canadian army in the First World War were individuals who came from farms. I know, for example, that in my riding there's a small community of Keene, Ontario, in the municipality of Otonabee-South Monaghan township. When you go to the war memorial in Keene and look at the individuals who made the supreme sacrifice during the First World War or certainly that generation of young farmers who went to France, fought in the trenches over there and didn't come back to Canada, it really was that first young generation of farmers. I think the people of Ontario have to be reminded about that sacrifice during the first Great War.

Also in the riding of Peterborough, we had the discovery of Red Fife wheat. David Fife, who came from western Canada to settle in Otonabee township, developed a strain of wheat, Red Fife wheat, that was particularly adaptable to the soil and climate conditions of east central Ontario.

As I'm touring through my riding, I still see a number of signs of farm families who were indeed century farmers in 1967. One of the initiatives during Canada's centennial in that year was to go through and especially

designate those farms that were there for over 100 years. Many of those family farms are still in existence and still proudly display that century farm marker in front of their operations.

I also look at the Stewart family, who came from Chicago at the turn of the 20th century to establish Quaker Oats in the riding of Peterborough. It's now part of the Pepsi-Cola business empire, but it was originally those Stewarts who came from Chicago to Peterborough to establish Quaker Oats in 1902. The principal reason they came to Peterborough in 1902, as I previously mentioned, was the development of Red Fife wheat. Many of the farmers in the Peterborough area were raising and harvesting Red Fife wheat that went directly to Quaker Oats and that was used in the manufacture of those world-renowned cereal products that many of us still use today—employing some 600 individuals in the riding of Peterborough.

You also look to the riding of my good friend from Port Hope. Port Hope was the residence of the Massey family. We know of course that Vincent Massey became the first native-born Canadian Governor General, but the other branch of his family joined with the Ferguson family to become a world leader in the manufacture of combines and tractors. At one time, Massey Ferguson had manufacturing facilities through all the continents of the world. They were the world leader in innovation and providing that kind of equipment.

1140

We think of John Kenneth Galbraith, who was born in a little community outside of Guelph, Ontario called Iona Station. John Kenneth Galbraith got his first degree in agricultural economics from the University of Guelph, and then he went on to have a tremendous public sector career in the United States as a key adviser to many administrations.

The other thing I'd like to touch upon is certainly supply management. My colleague from Lambton-Kent-Middlesex has been very active in signing up members from this Legislature to support the notion of supply management. I think one of the things that we have to do is explain to our consumers in Ontario the value of supply management. If you think about it for a moment, when you go to one of the convenience outlet stores in your riding or my riding or other members' ridings and you see that three bags of milk gets sold for \$4.20, that's great value, and it's all due to supply management and the ability to provide farmers a reasonable rate of return and to guarantee consumers in this province supply and quantity. Many of our urban counterparts think supply management somehow jacks up the price of those commodities that are controlled by supply management.

I think it's important for us and the member from Huron-Bruce, having June 21 as Rural Ontario Day, to take the opportunity to explain what value there is in how we manage our rural system in Ontario, the farm products we produce. It's something we can all be very proud of.



**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** First of all, I just want to extend my thanks to the member for Huron-Bruce for coming forward with this bill. You take certain things for granted, and when I first saw it, I thought, why have we waited so long? Why have we not had a day to celebrate rural Ontario? We have so many other things that we celebrate, and we have designated days for those kinds of things. We hadn't done this before, and I was actually really surprised. Then I thought, well, that's very much the way that the rural communities are. The member from Oxford talked about it being a 365-day sort of thing, and he's right. We all do our thing in rural communities 365 days of the year. But then I thought about it a little further and I thought, well, we've got Father's Day coming up, and fathers are fathers 365 days of the year too—

**Interjection:** Or more.

**Mrs. Van Bommel:** —or more, for years and years and years, and we celebrate that on a certain day of the year, so why not the same thing for rural? I think we should be doing exactly that. It is a business and it is a lifestyle that is with you 365 days of the year. Nevertheless, there should be one day of the year when we stop and we take particular notice of what we're doing and what happens in rural communities.

I look around this chamber, and I know that a lot of my colleagues who are from rural communities are very active in those rural communities, and I know many of them have volunteered. That's part of the rural lifestyle, and that's what makes people in rural communities. We have a real strong sense of community. We have members here who have been involved with the Victorian Order of Nurses. We have members who are involved with the Red Cross, the Knights of Columbus, the federations of agriculture in their communities, the Royal Canadian Legion, the Kinsmen, Kiwanis, Rotary. They volunteer on hospital boards. Many of them have been elected to municipal councils. I know the member from Huron-Bruce was warden of Huron.

So people in rural communities have a very strong sense of their communities and of the qualities and values they want to have and that they bring to those communities. Those are the kinds of things that we want to celebrate on a day like this. We want to make sure that we recognize those kinds of things.

We certainly have challenges in rural communities; there's no question about that. But I think that that sense of community we have helps us to overcome those kinds of things. We talk about things such as keeping our schools. We talk about delivery of health care in the rural communities. Members of the rural communities work hard to make those things happen for us.

We have certain historic and traditional values that we bring forward with us, and those things are often taken for granted by us. We expect our neighbours to do these kinds of things. It's a unique kind of lifestyle.

I just spoke with my husband again this morning, something we do all the time while I'm here in Toronto. Things are very busy on our farm right now. We've got a

wedding coming up in August for one of our daughters; it will be the last one. With Amanda's wedding, there's a lot of activity around the farm. Earlier this week, the construction company came in and construction started on the manure bunker. So there's a lot of curiosity in our community. A lot of people are stopping to ask René what's going on, and he's explaining that while he's doing his nutrient management stuff, he's also getting ready for a wedding. People are leaving a lot of comments around about that one. But everybody enjoys that, and that's the rural way of life. If people came to the yard and René were somehow upset by that and felt that maybe they were interfering or should be minding their own business, that would be taken as an insult by those people, because it's a friendliness that they bring with them when they ask about these kinds of things. It's not that they're trying to pry; they want to share with us what's happening on our farm.

That kind of sharing has been a tradition in our communities. That's what brought about things like barn-raising. That's what happens now when a farmer has an accident, and everybody pulls in with combines or plows or seed drills or whatever is needed so that farmer can recover and not have to worry about his livelihood. Everybody does that on a volunteer basis. It's the giving of the rural community. So I'm really happy that we have an opportunity to recognize that by setting June 21 aside as Rural Ontario Day. I wouldn't want to live anywhere else.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to speak to Bill 199 today, the bill from the member for Huron-Bruce, An Act to celebrate and recognize rural Ontario.

First of all, though, I want to acknowledge the fact that I brought two beautiful young ladies with me today from rural Ontario, my granddaughters, Rachel and Karley Rynard. They're in the audience. Rachel and Karley go to Marchmont Public School, which is a beautiful little rural Ontario school just west of Orillia. They go to school on Mondays, Wednesdays and Fridays, so on Tuesdays and Thursdays I often get an opportunity to bring them down just for a ride and sometimes to see the Legislature.

One of the things I wanted to point out to the member from Huron-Bruce, first of all, is that I will be supporting this piece of legislation. I think anything we can do to enhance the quality of life and to promote rural Ontario, we have to use those tools available to us so that we can make sure the folks in rural Ontario do appreciate what we in this Legislature are supposed to do to promote it.

I wanted to point out to the member that I read her bill quite carefully, and I didn't see at any point the word "agriculture" actually used in the bill. I looked at the preamble and the small amount of the bill itself, and other than the fact that June 21 is the date that we will acknowledge, nothing else is mentioned about agriculture. I think that's something we've got to be very concerned about, and not only on behalf of this bill.

I think not only this government but, in a lot of cases, different governments over the years have not done

enough to promote agriculture—what I call a decline in agriculture in this province. I know that we've seen a number of cuts over the years to budgets of the Ministry of Agriculture, and if there's anything we can do to strengthen agriculture, I think we have to do it. We have to start with the Ministry of Finance giving the people in the Ministry of Agriculture enough money to operate and to promote this very important field and very important sector of our economy. Of course, that means trying to keep more young people on the farms and to strengthen them. I think, in the end, as we deal with the word "agriculture" and the whole industry of agriculture, without a strong agricultural base in the province of Ontario, we won't have strong rural communities. We can always try to attract some small businesses to those areas, some small manufacturing jobs etc., but the heart and soul of rural Ontario is a good, strong, agricultural sector. I've seen so many people leave the family farm over the last few decades, and it continues. I think it's probably one of the worst years they've ever had in agriculture in this province, or the last 16 or 18 months. I know that we have to do a lot more as politicians to promote that.

1150

That being said, though, I've always lived in rural Ontario. I love rural Ontario. I think that some of the small communities we have across our province, some of the little antique stores, some of the small businesses we see in our little villages etc., the community events that are held, the festivals—just the fact that I think the people of rural Ontario are probably far more close-knit in communities than we would see in the larger urban areas. People help each other a lot more. They're more caring, in a lot of cases, because they know these folks a lot better.

The bill is a decent bill. It does sort of follow up on Ontario Agriculture Week, a bill that was put forth by the former member for Perth-Middlesex, Bert Johnson. I would hope that the government in its wisdom would promote Ontario Agriculture Week this fall. I haven't seen anything over the last couple of years, partially because of the election, and last year I think because when the House came back it was maybe a week too late. But that is an area where the government and all the members of this House do appreciate seeing the recognition of Ontario Agriculture Week too.

That being said, I will be supporting the bill, and I thank the member for bringing it forward.

**Mr. Lou Rinaldi (Northumberland):** Let me first congratulate the member from Huron-Bruce for bringing this bill to the forefront. Rural Ontario is a huge anchor in our province. The majority of Ontario, by land mass, is rural, yet I think not just we here in this House but all Ontarians seem to take that for granted. In most cases in rural Ontario, we don't have subways, we don't have rapid transit, we don't have skyscrapers and we don't have rush hours. But what we have in rural Ontario is a quality of life which is second to none, and I'm delighted to represent a riding of which the major part—well, it is

all rural. It's very, very difficult sometimes to appreciate those qualities until you experience this.

On a personal note, I used to live in Toronto. My wife was born and raised in Toronto. The very first house that we bought in the city of Toronto, we lived there for two years. I met my next-door neighbour the day I was moving out two years later. Unbelievable. But let me tell you what happened when we moved to Brighton in Northumberland county some 25 years ago. The very first day, it was a cold, crisp day between Christmas and New Year's in 1980. My neighbours—I didn't know they were my neighbours—came in to help to move in, to look after our kids. "How can we help?" And they brought food. I don't think some of us experience those things. That's something I will never, never forget.

The other thing about rural Ontario that we need to celebrate is that agriculture is a big part of rural Ontario. It's a big component. We, as a government, have been supporting agriculture, the same as past governments. It's a vital lifeline to the people who live in this great province that we are able to grow food to supply the people of Ontario. It's something that we as a government are committed to: ensuring that that food chain is stable and making sure that those folks working on those farms 365 days a year. In many cases, there is no start or finish time to those 365 days; I've seen some of my neighbours, farmers. I'm not so sure when you can get them in the house, because they're normally outside doing chores. We need to support them, and we're committed to doing that. We need to provide them with the tools they need.

So to say that June 21 is a day we need to celebrate rural Ontario, it's long, long overdue. There's no question about it. We need, somehow, to put that in the forefront.

Let me tell you about folks in my riding; I think it was six, seven, eight years ago. As we get older, time goes faster. The local NFA, Northumberland Federation of Agriculture, started Rural Ramble, which is such a success in rural Ontario today. They invite folks from urban centres to their own farms, into their kitchens, into their barns, to show them that beef doesn't grow in the IGA freezer, that the produce doesn't grow in the Sobeys produce department, that it actually comes from somewhere.

To recognize rural Ontario on June 21 is the very least we can do for rural Ontario. I know all of us in this House are going to support this initiative, and I want to thank the member from Huron-Bruce for bringing this forward.

**The Deputy Speaker:** Mrs. Mitchell, you have two minutes to reply.

**Mrs. Mitchell:** I want to thank the members from Oxford, Niagara Centre, Peterborough, Lambton-Kent-Middlesex, Simcoe North and Northumberland. Thank you, speakers. I really do appreciate you taking the time to do your research and speak on what I believe is a beginning step in recognition of our rural communities.

I want to just add to the day a letter from the member from Perth-Middlesex. I'm going to read it: "I support



and look forward to the quick passage of Bill 199. Together, the member for Huron–Bruce and I have worked together with our rural colleagues to build bridges with urban and suburban Ontario. Bill 199 is a great example of this effort, and I urge all members to support this bill.” That is from the member from Perth–Middlesex.

I encourage the members of the House to support Rural Ontario Day. This is a day on which we can recognize what our rural communities have given to the province of Ontario and will continue to give. Our rural communities have been under a great deal of duress, and we need to continually encourage all communities within Ontario.

So I thank you for your support, and I look forward to the bill moving forward at what I’m sure will be a quick pace. Thank you, Mr. Speaker, for allowing me to bring forward my bill today.

**The Deputy Speaker:** Thank you to all members. The time allowed for private members’ public business has now expired.

#### HEALTH INSURANCE AMENDMENT ACT (PSA TESTS FOR PROSTATE CANCER), 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L’ASSURANCE-SANTÉ (TEST PSA POUR LE DÉPISTAGE DU CANCER DE LA PROSTATE)

**The Deputy Speaker (Mr. Bruce Crozier):** We shall first deal with ballot item number 73, standing in the name of Mr. Mauro. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, say “nay.”

In my opinion, the nays have it.

We will call in the members for a vote, but we will first deal with the next ballot item number.

#### RURAL ONTARIO DAY ACT, 2005

#### LOI DE 2005 SUR LE JOUR DE L’ONTARIO RURAL

**The Deputy Speaker (Mr. Bruce Crozier):** Ballot item number 74, standing in the name of Mrs. Mitchell. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

We will have a vote on this as well. I will now call in the members and remind them that this is a five-minute bell.

*The division bells rang from 1158 to 1203.*

#### HEALTH INSURANCE AMENDMENT ACT (PSA TESTS FOR PROSTATE CANCER), 2005

#### LOI DE 2005 MODIFIANT LA LOI SUR L’ASSURANCE-SANTÉ (TEST PSA POUR LE DÉPISTAGE DU CANCER DE LA PROSTATE)

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Mauro has moved second reading of Bill 201.

All those in favour will please stand and be recognized by the Clerk.

#### Ayes

|                       |                     |                    |
|-----------------------|---------------------|--------------------|
| Arthurs, Wayne        | Klees, Frank        | Prue, Michael      |
| Baird, John R.        | Kormos, Peter       | Qaadri, Shafiq     |
| Bartolucci, Rick      | Kwinter, Monte      | Racco, Mario G.    |
| Berardinetti, Lorenzo | Lalonde, Jean-Marc  | Ramal, Khalil      |
| Bisson, Gilles        | Leal, Jeff          | Rinaldi, Lou       |
| Broten, Laurel C.     | Levac, Dave         | Ruprecht, Tony     |
| Colle, Mike           | Matthews, Deborah   | Sandals, Liz       |
| Di Cocco, Caroline    | Mauro, Bill         | Scott, Laurie      |
| Duguid, Brad          | McNeely, Phil       | Smith, Monique     |
| Hardeman, Ernie       | Mitchell, Carol     | Van Bommel, Maria  |
| Horwath, Andrea       | Mossop, Jennifer F. | Wynne, Kathleen O. |
| Hoy, Pat              | Murdoch, Bill       | Zimmer, David      |
| Hudak, Tim            | Patten, Richard     |                    |

**The Deputy Speaker:** All those against, please stand.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 38; the nays are 0.

**The Deputy Speaker:** I declare the motion carried.

**Mr. Bill Mauro (Thunder Bay–Atikokan):** I ask that the House refer this bill to the standing committee on social policy.

**The Deputy Speaker:** Is it agreed?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it. Carried.

I remind the members that the doors will be open for 30 seconds before the next vote.

#### RURAL ONTARIO DAY ACT, 2005

#### LOI DE 2005 SUR LE JOUR DE L’ONTARIO RURAL

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item 74. Mrs. Mitchell has moved second reading of Bill 199.

Same vote? No, I’m told we will have a vote.

All those in favour, please stand.

#### Ayes

|                       |                     |                    |
|-----------------------|---------------------|--------------------|
| Arthurs, Wayne        | Klees, Frank        | Prue, Michael      |
| Baird, John R.        | Kormos, Peter       | Qaadri, Shafiq     |
| Bartolucci, Rick      | Kwinter, Monte      | Racco, Mario G.    |
| Berardinetti, Lorenzo | Lalonde, Jean-Marc  | Ramal, Khalil      |
| Bisson, Gilles        | Leal, Jeff          | Rinaldi, Lou       |
| Broten, Laurel C.     | Levac, Dave         | Ruprecht, Tony     |
| Colle, Mike           | Matthews, Deborah   | Sandals, Liz       |
| Di Cocco, Caroline    | Mauro, Bill         | Scott, Laurie      |
| Duguid, Brad          | McNeely, Phil       | Smith, Monique     |
| Hardeman, Ernie       | Mitchell, Carol     | Van Bommel, Maria  |
| Horwath, Andrea       | Mossop, Jennifer F. | Wynne, Kathleen O. |
| Hoy, Pat              | Murdoch, Bill       | Zimmer, David      |
| Hudak, Tim            | Patten, Richard     |                    |

**The Deputy Speaker:** All those against, please stand.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 38; the nays are 0.

**The Deputy Speaker:** I declare the motion carried.

**Mrs. Carol Mitchell (Huron-Bruce):** I ask that the bill be referred to the standing committee on general government.

**The Deputy Speaker:** Is it agreed?

All those in favour, please stand.

The majority being in favour, it is referred to the standing committee on general government.

All matters relating to private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1210 to 1330.*

## MEMBERS' STATEMENTS

### AIR QUALITY

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I stand to recognize Canadian Environment Week—as we endure a week of smog advisories and thick air as a reminder of the toll we are taking on our environment and the toll that it can take on us.

While this government tries to figure out when a closure deadline is actually a deadline, the government has missed the opportunity to put in place real smog reduction initiatives. Smog can be fixed; smog should be fixed. Technology is available, and it's in use right now, to cut 99% of particulate matter, 96% of NO<sub>x</sub>, 92% of SO<sub>x</sub> from fossil fuel generators, but this government has fiddled while the problem grows.

I join in the call to spare the air and leave the car behind in favour of public transit or a bicycle. I myself walked to work this morning. That said, we do have serious problems that aren't going to be solved by a few more people walking. Even if every one of us across Ontario took those steps, we would still face the 50% smog problem billowing in from the United States, and I don't see that changing any time soon.

### PHILIPPINES INDEPENDENCE DAY

**Mr. Mike Colle (Eglinton-Lawrence):** Today, we celebrate Filipino independence day. It gives me great pleasure to rise on behalf of our Premier, Dalton McGuinty, and the government of Ontario to pay tribute to all Filipino Canadians in honour of the 107th anniversary of Philippine independence.

In 1898, the Philippines succeeded in winning independence after 350 years of colonization. Today, it stands as a beacon for democracy, playing a vital role in Asia and throughout the whole world. But Filipinos of every age, in the Philippines and in Canada, do not forget the long struggle that it took to get to this point in history. We all know the tremendous personal sacrifice of those Filipinos who put their lives on the line for their nation and for freedom.

I also rise today to pay tribute to Filipino Canadians who continue to make valuable contributions to our province and our country and, of course, to the organizer of Filipino Flag Day at the Legislature, Monina Lim-Serrano, president of the Federation of Filipino Canadians.

As the Filipino government considers adopting a parliamentary system similar to Canada's, we again see a convergence of ideals and wish the Philippines and all Filipinos a happy independence day.

Mabuhay ang Filipinas. Long live the Philippines.

### FLEMING COLLEGE

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I rise today to draw the attention of the Legislature to a tremendous honour that is being bestowed upon Fleming College. Today, at the Ontario Energy Association's annual reception, Fleming College will be named an outstanding leader in sustainable energy practices. Fleming College is one of seven institutions in Ontario being recognized for its environmental leadership.

The new wing at the Frost campus of Fleming College, located in Lindsay, is one of the most energy-efficient buildings in Canada and generates annual energy savings of more than \$36,000. Fleming's centre for alternative waste water treatment can treat about 3,000 litres of water a day for the new wing.

This is not the only recognition that Fleming College has received. The new technology wing in Peterborough and the new Haliburton campus have also been recognized by Natural Resources Canada.

Fleming College is committed to embracing new environmental technologies, and this award is in recognition of the excellent job they have done at finding practical applications for these technologies. Congratulations are due to Fleming president, Tony Tilly; principal, Blane Harvey; and all of the staff and students there.

The new wing at Fleming is the end result of hard work for several years on the part of many people in the community, including Jim Madder, the past principal, Brian Desbiens, the past president, and Chris Hodgson, the past MPP for Haliburton-Victoria-Brock. I add my voice to those congratulating Fleming College on this achievement.

### LEGISLATIVE INTERNS

**Mr. Michael Prue (Beaches-East York):** Every year in this Legislature, in this building, there is a program called the Ontario Legislature internship program, and it has been going on now for some 30 years. This year marks the 30th anniversary. Every year young men and women who have just finished university and become recent graduates, some seven or eight of them, come here and they find out that what university taught them isn't necessarily true as to what goes on in the Legislature.

This is my fourth year in the Legislature, and for the previous three years I applied to have an intern but was not successful. This year, though, I think I lucked right



out, I have to tell you. A young man by the name of Ben Rossiter came to my office in February, and I am so impressed with him; I am so impressed with the program; I am so impressed with what he has been able to do in these few months in my office.

He has been totally engrossed in the life of politics. He has helped my constituents. He has even babysat upon occasion when required. But the most important thing he did was the private member's bill. I don't know how it would have come about, I don't know how it would have been passed by this Legislature at second reading, without his expertise. I am sad because tomorrow is his last day, and I would hire him if I could.

The program continues. He and his seven fellows are off to Great Britain next week. I think they are a testament to the vitality of this program, and I commend the program to all members of the Legislature in the future.

### ELLIOT LAKE

**Mr. Michael A. Brown (Algoma-Manitoulin):** This year marks the 50th anniversary of the beautiful city of Elliot Lake. Elliot Lake is a vibrant, full-service city of 12,000 people. I have had the honour and privilege of representing this fine city in this Legislature for 18 years.

Elliot Lake is a city that has faced many challenges. It has succeeded, however, in recreating itself as an adult lifestyle community and an attractive tourist destination. Elliot Lake has received international recognition for its success. This year marks the 50th anniversary of the city and a lot of exciting events are planned.

The Jewel in the Wilderness festival is the signature event of the year-long 50th anniversary celebration. The festival runs from June 30 to July 4. Many events are planned during the festival including a special Canada Day flag-raising at the Legion's cenotaph and a special Canada Day fireworks display that night. Also on July 1, Elliot Lake Secondary School will hold its 50th anniversary reunion. On July 2, everyone is sure to come out for the festival parade in the afternoon and the 50th anniversary street dance in the evening. There will be a special performance by Canadian music legend Randy Bachman.

These events and many more are planned for the Elliot Lake 50th anniversary Jewel in the Wilderness festival, and there are many more events throughout the year. I would ask people across Ontario to have a look at the Web site [www.cityofelliottlake.com](http://www.cityofelliottlake.com).

### HYDRO PROJECT

**Mr. Frank Klees (Oak Ridges):** While the Premier and his ministers are ever ready to appear at photo ops and press conferences, they turn a cold shoulder to issues that don't fit so neatly into their agenda.

One of those issues is the proposed hydro corridor through residential neighbourhoods in York region, and the concerns that local residents have expressed for the potential health risks, and more specifically, the linkages

of childhood leukemia to EMF exposure. Parents do not want their children to become statistics and they're not prepared to accept the avoidance tactics of this government when it comes to dealing with their concerns.

On their behalf, I call on the Premier, the Minister of Health, the Minister of Energy and the Minister of the Environment to at the very least respond to their request for a meeting during which they can discuss their concerns. Mrs. Sue Fusco, representing the STOP committee, wrote the Minister of Health on June 6, 2005, "I have forwarded information regarding implications to children living in close proximity to high-voltage lines and the linkage to leukemia." She then went on to say, "You chose to delete my message before even reading it."

To the Minister of Health and the Premier, I call on you to take the concerns of Mrs. Fusco and the hundreds of parents of thousands of children seriously before it's too late. Meet with them, listen to them, take seriously the facts that they want you to consider and assure them that you will act on their behalf in the public interest.

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### SENIOR CITIZENS

**Ms. Kathleen O. Wynne (Don Valley West):** I rise today to acknowledge Seniors' Month in Ontario, and specifically some of the seniors who have made such a fine contribution to community life in Don Valley West and in the province.

In her 2004 book, *Dark Age Ahead*, Jane Jacobs writes that "A living future is forever changing, without losing itself as a framework and a context of change." I particularly want to acknowledge some of the local seniors who help provide me with the context I need to think about the living future we're building as a government.

Edna Beange, Charlotte Maher, Carole Irwin, Diane Johnson, Ben Jarvenpaa, Robert Campbell, Thanga Velymylum, Derek Chadwick, Ian Cameron, Rheta and Larry Solomon, Robert Campbell, John Dalglish and Jack Henshaw are all activists, and most are active participants on my seniors' advisory council. These are concerned citizens who help me by commenting on the issues of the day and sharing their experience and wisdom with me. They have strong opinions about education, particularly adult and community education, health care, and infrastructure investment, especially affordable housing and social policies. They pay close attention and bring a keen, critical eye to government policies.

They approve of our initiatives to keep seniors in their homes, but they argue that we need to pay attention to well seniors who might need a little support in order to stay in their homes. They want seniors to be able to keep learning but want us to understand that they can't always afford expensive course fees. Some of them have been at the forefront of creative housing projects in their own neighbourhoods, and they want us to pay attention to the creative, innovative ideas around us.

The seniors in our community remind us that a healthy, compassionate society looks after its most vulnerable: its young, who are its future, and its elderly, who have made us what we are.

### ANTI-SMOKING LEGISLATION

**Mr. Phil McNeely (Ottawa—Orléans):** With the passage of Bill 164, this government is once again taking a leading role in creating stronger public health policy by paving the way toward a truly smoke-free Ontario.

The Canadian Cancer Society is extremely happy that the bill has passed, and the Ontario Campaign for Action on Tobacco has hailed the legislation as the beginning of a new era.

While I was pleased that the majority of members in this House supported this government's anti-smoking legislation, a handful of the usual Tory suspects cried foul over Bill 164, supposedly for economic reasons. But this bill will reap economic benefits for our province for generations to come.

By focusing resources on helping Ontarians kick their nicotine addictions and by altering retail regulations to keep cigarettes out of sight and out of mind, and also out of the hands of youth, we are creating a profound shift in public health habits. We are also dealing a fatal blow to the deadly culture of smoking. There is no doubt that our hospitals and our doctors will carry a lighter load as a result of this legislation.

There's also no doubt in my mind that the 80% of our population who don't smoke will be grateful that they can enjoy a meal or a drink at any public establishment without being put in harm's way. Many jurisdictions that have already gone smoke-free report that the hospitality industry experienced a real boost from such measures.

Passing Bill 164 was a question of good health policy, but it was also a solid economic move. It's another example of this government's thinking long-term and investing in the future, and that is something we can all be proud of.

### POST-SECONDARY EDUCATION

**Ms. Deborah Matthews (London North Centre):** Speaker, I would like to take this opportunity to share with you and with this House our government's historic and progressive investment in post-secondary education in our province.

For far too many years, colleges, universities and apprenticeship programs have been underfunded by governments who chose to turn a blind eye to the inherent contributions these students make to our province. From 1993 to 2003, tuition in Ontario rose 137%, the largest increase in the country.

I am proud to stand in this House today to share with my fellow members the investments our government is making to ensure a healthy and prosperous future for Ontario.

Just a few weeks ago, we made a record investment of \$6.2 billion in post-secondary education, the first such investment in 40 years.

We're investing \$100 million in the Ontario graduate fellowship endowment. In my riding of London North Centre, this will mean \$9.42 million for the University of Western Ontario, as an initial endowment. That will go to help over 2,600 graduate students.

Furthermore, Western will also receive \$13 million for facility and infrastructure renewal. In total, across the province, our government will invest an astounding \$200 million this year alone in facility revitalization, because providing a safe and healthy learning environment for our students is a priority for this government.

There is a direct link between education and prosperity. Research has shown this time and time again. Our government wants to ensure that all Ontario students not only have access to the best post-secondary education possible, but can afford to attend and learn in our province's universities and colleges.

### MEMBERS' EXPENDITURES

**The Speaker (Hon. Alvin Curling):** I beg to inform the House that I have today laid upon the table the individual members' expenditures for the fiscal year 2004-05.

### INTRODUCTION OF BILLS

#### JOE CORDIANO ACT, 2005

#### LOI DE JOE CORDIANO 2005

Mr. Kormos moved first reading of the following bill:  
Bill 212, An Act to amend the Election Finances Act /  
Projet de loi 212, Loi modifiant la Loi sur le financement des élections.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr. Peter Kormos (Niagara Centre):** The Election Finances Act is amended to prevent constituency associations from paying the expenses of members of the Legislative Assembly unless the expenses are incurred during an election period. The short title of this act is the Joe Cordiano Act, 2005.

### DEFERRED VOTES

#### ENVIRONMENTAL ENFORCEMENT STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS SUR L'ENVIRONNEMENT EN CE QUI CONCERNE L'EXÉCUTION

Deferred vote on the motion for third reading of Bill 133, An Act to amend the Environmental Protection Act



and the Ontario Water Resources Act in respect of enforcement and other matters / *Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions*

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1348 to 1353.*

**The Speaker:** All those in favour, please rise one at a time to be recognized by the Clerk.

#### Ayes

|                        |                    |                     |
|------------------------|--------------------|---------------------|
| Arthurs, Wayne         | Fonseca, Peter     | Mossop, Jennifer F. |
| Bartolucci, Rick       | Horwath, Andrea    | Peters, Steve       |
| Berardinetti, Lorenzo  | Hoy, Pat           | Peterson, Tim       |
| Bisson, Gilles         | Jeffrey, Linda     | Phillips, Gerry     |
| Bountrogianni, Marie   | Kennedy, Gerard    | Prue, Michael       |
| Broten, Laurel C.      | Kormos, Peter      | Pupatello, Sandra   |
| Brown, Michael A.      | Kular, Kuldip      | Qaadri, Shafiq      |
| Bryant, Michael        | Kwinter, Monte     | Racco, Mario G.     |
| Caplan, David          | Lalonde, Jean-Marc | Ramsay, David       |
| Chambers, Mary Anne V. | Leal, Jeff         | Rinaldi, Lou        |
| Churley, Marilyn       | Levac, Dave        | Ruprecht, Tony      |
| Colle, Mike            | Marchese, Rosario  | Sandals, Liz        |
| Cordiano, Joseph       | Marsales, Judy     | Smith, Monique      |
| Crozier, Bruce         | Matthews, Deborah  | Smitherman, George  |
| Dhillon, Vic           | Mauro, Bill        | Van Bommel, Maria   |
| Dombrowsky, Leona      | McGuinty, Dalton   | Wong, Tony C.       |
| Duguid, Brad           | McNeely, Phil      | Wynne, Kathleen O.  |
| Duncan, Dwight         | Milloy, John       |                     |

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr. Speaker: I think that one of the members was incorrectly counted in favour of the bill. The government would certainly support allowing the proper record to be reflected.

**The Speaker:** Is there unanimous consent that the vote of Mr. Wilson be reversed? Agreed.

All those opposed, please rise one at a time and be recognized by the Clerk.

#### Nays

|                  |                     |                   |
|------------------|---------------------|-------------------|
| Arnott, Ted      | Munro, Julia        | Tory, John        |
| Barrett, Toby    | Murdoch, Bill       | Wilson, Jim       |
| Dunlop, Garfield | Runciman, Robert W. | Witmer, Elizabeth |
| Hardeman, Ernie  | Scott, Laurie       |                   |
| Klees, Frank     | Sterling, Norman W. |                   |

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 53; the nays are 13.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr. Jim Wilson (Simcoe-Grey):** On a point of order, Mr. Speaker: I just thank the House for reversing the most embarrassing moment in my 15 years here.

*Interjections.*

**The Speaker:** Order. It was going very well before.

**Hon. Mr. Duncan:** On a point of order, Mr. Speaker: That was only one of the member's most embarrassing moments.

**The Speaker:** We have another deferred vote. Maybe we can get it right this time.

### FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

Deferred vote on the motion for third reading of Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997/ *Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.*

**The Speaker (Hon. Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1358 to 1403.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

|                        |                     |                     |
|------------------------|---------------------|---------------------|
| Arnott, Ted            | Hardeman, Ernie     | Phillips, Gerry     |
| Arthurs, Wayne         | Horwath, Andrea     | Prue, Michael       |
| Baird, John R.         | Hoy, Pat            | Pupatello, Sandra   |
| Bartolucci, Rick       | Hudak, Tim          | Qaadri, Shafiq      |
| Berardinetti, Lorenzo  | Jeffrey, Linda      | Racco, Mario G.     |
| Bisson, Gilles         | Kennedy, Gerard     | Ramsay, David       |
| Bountrogianni, Marie   | Klees, Frank        | Rinaldi, Lou        |
| Broten, Laurel C.      | Kormos, Peter       | Runciman, Robert W. |
| Brown, Michael A.      | Kular, Kuldip       | Ruprecht, Tony      |
| Bryant, Michael        | Kwinter, Monte      | Sandals, Liz        |
| Cansfield, Donna H.    | Lalonde, Jean-Marc  | Scott, Laurie       |
| Caplan, David          | Leal, Jeff          | Smith, Monique      |
| Chambers, Mary Anne V. | Levac, Dave         | Smitherman, George  |
| Churley, Marilyn       | Marchese, Rosario   | Sterling, Norman W. |
| Colle, Mike            | Marsales, Judy      | Takhar, Harinder S. |
| Cordiano, Joseph       | Matthews, Deborah   | Tascona, Joseph N.  |
| Crozier, Bruce         | Mauro, Bill         | Tory, John          |
| Dhillon, Vic           | McGuinty, Dalton    | Van Bommel, Maria   |
| Di Cocco, Caroline     | McNeely, Phil       | Wilson, Jim         |
| Duguid, Brad           | Milloy, John        | Witmer, Elizabeth   |
| Duncan, Dwight         | Mossop, Jennifer F. | Wong, Tony C.       |
| Dunlop, Garfield       | Munro, Julia        | Wynne, Kathleen O.  |
| Fonseca, Peter         | Peters, Steve       |                     |
| Gerretsen, John        | Peterson, Tim       |                     |

**The Speaker:** All those against, please rise and be recognized by the Clerk.

#### Nays

|               |               |
|---------------|---------------|
| Barrett, Toby | Murdoch, Bill |
|---------------|---------------|

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 70; the nays are 2.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

# TRANSPORTATION STATUTE LAW AMENDMENT ACT, 2005

## LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSPORT

Deferred vote on the motion for second reading of Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters / Projet de loi 169, Loi modifiant le Code de la route et modifiant et abrogeant diverses autres lois à l'égard de questions relatives au transport.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The bells rang from 1406 to 1411.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

|                        |                     |                     |
|------------------------|---------------------|---------------------|
| Amott, Ted             | Fonseca, Peter      | Peterson, Tim       |
| Arthurs, Wayne         | Gerretsen, John     | Phillips, Gerry     |
| Baird, John R.         | Hardeman, Ernie     | Pupatello, Sandra   |
| Barrett, Toby          | Hoy, Pat            | Qaadri, Shafiq      |
| Bartolucci, Rick       | Hudak, Tim          | Racco, Mario G.     |
| Berardinetti, Lorenzo  | Jeffrey, Linda      | Ramsay, David       |
| Bountrogiani, Marie    | Kennedy, Gerard     | Rinaldi, Lou        |
| Broten, Laurel C.      | Kles, Frank         | Runciman, Robert W. |
| Brown, Michael A.      | Kular, Kuldip       | Ruprecht, Tony      |
| Bryant, Michael        | Kwinter, Monte      | Sandals, Liz        |
| Cansfield, Donna H.    | Lalonde, Jean-Marc  | Scott, Laurie       |
| Caplan, David          | Leal, Jeff          | Smith, Monique      |
| Chambers, Mary Anne V. | Levac, Dave         | Smitherman, George  |
| Colle, Mike            | Marsales, Judy      | Takhar, Harinder S. |
| Cordiano, Joseph       | Matthews, Deborah   | Tascona, Joseph N.  |
| Crozler, Bruce         | Mauro, Bill         | Tory, John          |
| Delaney, Bob           | McGuinty, Dalton    | Van Bommel, Maria   |
| Dhillon, Vic           | McNeely, Phil       | Wilson, Jim         |
| Di Cocco, Caroline     | Milloy, John        | Witmer, Elizabeth   |
| Dombrowsky, Leona      | Mossop, Jennifer F. | Wong, Tony C.       |
| Duguid, Brad           | Munro, Julia        | Wynne, Kathleen O.  |
| Duncan, Dwight         | Murdoch, Bill       |                     |
| Dunlop, Garfield       | Peters, Steve       |                     |

**The Speaker:** All those against, please rise and be recognized by the Clerk.

### Nays

|                  |                 |                   |
|------------------|-----------------|-------------------|
| Bisson, Gilles   | Horwath, Andrea | Marchese, Rosario |
| Churley, Marilyn | Kormos, Peter   | Prue, Michael     |

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 67; the nays are 6.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading?

**Hon. Harinder S. Takhar (Minister of Transportation):** I would asked that the bill be referred to the standing committee on general government.

**The Speaker:** So ordered.

## ORAL QUESTIONS

### MINISTERS' SPENDING

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. On June 17, 2003, you said,

"It was wrong to run expenses through the riding association. To my way of thinking ... what he did was wrong," referring to ministers running personal expenses through their riding associations. You were crystal clear then, Premier, and I think this is really about your standards, or at least the standards you used to expect of those whose job you now hold. By maintaining, as you did yesterday, that your Minister of Economic Development and Trade acted appropriately in putting some \$17,000 in personal expenses through his riding association, do you think you are still meeting your own very clearly articulated standards?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** First of all, let me say once again that I fully support Minister Cordiano. He has been faithful and diligent in making each and every one of his expenses public in the required way. All of his government expenses have been vetted by the Integrity Commissioner and approved by the Integrity Commissioner. All of his party expenses have been signed off by an independent third party auditor. If the member opposite is aware of any particular rule that Mr. Cordiano has broken, then I'd be delighted if he would bring that to my attention; he can always bring any kind of application before the Integrity Commissioner. But Minister Cordiano has in fact been faithful and diligent in respecting all the rules.

**Mr. Tory:** Premier, I think you're missing the point of the question, and the question is simple. Again, to use the words you used when you stood in this place, it is a question "about your judgment and your standards." Those are the words you used when you stood in this place two years ago. It now seems that your standards have changed. Your Minister of Economic Development and Trade put \$17,000 in personal expenses through his riding association, and when you were Leader of the Opposition, you set a standard that this exact practice, according to your words again, "was wrong." Have you changed your standard? It's not about who audited it. You can't, to use your words again, "fob it off on the Integrity Commissioner." Have your standards changed? Do you now believe that it is right and OK for Liberal cabinet ministers to have their personal expenses paid by riding associations, despite the fact that you said it was wrong when you stood here two years ago? Have you changed your standard?

**Hon. Mr. McGuinty:** The Leader of the Opposition is being rather selective in terms of his recollection of my statements made at the time. Of course, he will know—and this is a painful issue for the Tories—we were talking about one Chris Stockwell at that time. Minister Cordiano has been open and transparent, and publicly filed all of his expenses. Minister Stockwell secretly funnelled expenses through OPG, where nobody could see them. Then he got caught in a tangled web of who paid for what. Then the Integrity Commissioner ruled that he had violated the Members' Integrity Act. That's why Minister Stockwell resigned.

Compare and contrast that with what Minister Cordiano has done. He's been up front, public and trans-



parent. Again, I say to the member opposite, if he is aware of a rule that Minister Cordiano has broken, then I ask him to bring that to our attention. If he feels he has some concern that should be brought before the Integrity Commissioner, then I would encourage him to do that.

**Mr. Tory:** The rule that I would bring to your attention, you don't need brought to your attention. It was a rule that you thought should apply to the conduct of ministers when you stood in this place. That is the rule I am talking about. I'll remind you again of what you said, and ask you one more time whether this was the rule that you intended should apply to ministers then. If you want to say it's different now, that's fine; go ahead.

You said: "It was wrong to run expenses through the riding association. To my way of thinking ... what he did was wrong." There was no mention there that it was OK because he filed it. I assume previous people whom you've talked about in this regard filed their papers too. That's how we know the expenses were put through riding associations. What I'm asking you, very simply, is about a rule you set when you stood here. Is it right or is it wrong? If you think it's right, just stand up and say so, and then we'll all know. Before, you said it was wrong. Is it right or wrong today, now that you're the Premier of Ontario?

**Hon. Mr. McGuinty:** Again, I say to the member opposite that if he's aware of any particular rule that Minister Cordiano has broken, then he should bring that to our attention. He has been open, public and transparent in terms of how he has recorded his expenses. His government expenses have been approved by the Integrity Commissioner. His party expenses have been approved by an independent third party auditor. If the member opposite has some evidence that Minister Cordiano has in some way broken some kind of a rule, then he's got a couple of options. He might place the rule before us here today so that we can consider it, or he can take the matter to the Integrity Commissioner, but I gather he's not prepared to do that.

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**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Tory:** I could quote all kinds of other ministers too, and I think I will. My question is to the Premier, by the way. Let's try, "I say to you, nice try. Stop using the Integrity Commissioner's office for your political purposes to shield you from accountability"—Michael Bryant, June 10, 2003. "The Integrity Commissioner can't rule on this dispute. There's only one place that we can get to the bottom of this: It's in this Legislature...."

You used to say, Premier, when you stood here, that it was wrong to run personal expenses through the riding association. There were no ifs, ands or buts. There were no qualifications. You weren't seeking rules. You were making them up as you stood here and it's what you thought should apply to ministers of the day. We've had quite a few instances now where we've seen this money being spent for personal reasons being put through the riding associations. Are you telling your colleagues now that this is OK? Is that the new standard? Are you telling

your colleagues that in the absence of a rule it's OK? Will you tell us that?

**Hon. Mr. McGuinty:** I think it's completely unfair to compare Minister Stockwell and his activities with Minister Cordiano. The one was found by the Integrity Commissioner to have violated the Members' Integrity Act; the other's government expenditures have in fact been approved by the Integrity Commissioner.

The member opposite may want to tell me whether he believes it was right for the Erie-Lincoln riding association to pay for a membership fee for the Albany Club for Tim Hudak. I think that's a decision made by the riding association, but maybe the member opposite has a different take on this. Also, the riding association in Oak Ridges paid for Frank Klees's membership in the Richmond Hill Chamber of Commerce. Again, that's a choice the riding association made. If the member opposite is now telling us he's going to tell riding associations what they can and cannot spend money on, then I'm sure his members would be very, very—

*Interjection.*

**Hon. Mr. McGuinty:** We'll come to you in a minute.

If you have an interest in telling your members where they should and should not be spending money, then you should turn around and you should tell them that.

**Mr. Tory:** If, at some point in time, this Legislature wants to put forward a rule on that—again, we're not talking about that. We're talking about—

*Interjections.*

**The Speaker:** Let's not have a double standard, in the sense that we want to hear the question from the leader of the official opposition. I'd like some quiet here. Thanks.

**Mr. Tory:** We're talking about the rule you said you thought should apply to ministers in the previous government. If you want to stand up and say that you've changed your mind, that it's all fine now, that there are no rules, then stand up and say it. But that is what we're talking about. We're talking about your double standard, your credibility, because you were the one who said it was wrong. If you don't think it's wrong any more, have the decency to get up and say so. That's fine. We'll accept that you've changed your mind. But for you to stand here and start pointing out what everybody else does—the issue at the time and the issue today is that one of your ministers has done something you previously said was wrong. Do you still think it's wrong? If you want to say it's right, get up and say so.

**Hon. Mr. McGuinty:** I said it was wrong, but more importantly the Integrity Commissioner said that what Chris Stockwell did was wrong and forced his resignation. That was wrong. That was clear. That was evident to all of us, including Mr. Stockwell himself.

The member has chosen, through his riding association, to have certain kinds of expenditures paid for. I noted that the Erie-Lincoln riding association has paid for Mr. Hudak's membership fee for the Albany club. I noted that the Oak Ridges riding association has paid for Frank Klees's membership to the Richmond Hill Chamber of Commerce. I note as well that in Leeds-Grenville

they paid Bob Runciman an honorarium: \$7,500 last year, \$3,000 this year, no receipts required.

Those are decisions made by the riding association. If the leader of the official opposition is telling us that that runs contrary to what he believes is appropriate, then he should turn around and speak to the members of his party and direct them in a certain way.

**Mr. Tory:** Once again, what I'm saying is that—

*Interjections.*

**The Speaker:** Order.

**Mr. Tory:** I'm saying, once again, that it's in direct violation of what you said.

But let's go to another member of the cabinet, somebody who sits right beside you, and I'll quote: "If you do work on government business, then the ministry should cover those expenses. If you do work for your party, then your party covers those expenses. But if you go out to entertain"—

*Interjection.*

**Mr. Tory:** Maybe I could finish, Mr. Speaker. "But if you go out"—

*Interjections.*

**The Speaker:** Allow the leader of the official opposition to complete his question, please, without any interruption.

**Mr. Tory:** "If you do work on government business, then the ministry should cover those expenses. If you do work for your party, then your party covers those expenses. But if you go out to entertain yourself, you should be paying for it yourself." It was the Minister of Community and Social Services who said that. That is a standard that you used to agree with, Premier. In fact, now you stand here and blindly defend someone in your ministry who is putting \$17,000 of expenses through the riding association.

If you've changed your mind, then please get up and inform us of that. You might turn to your next-door neighbour, Ms. Papatello, and tell her that you've changed your mind from two years ago as well. Otherwise, we are left to conclude, I assume, that just like on taxes, just like on deficits, just like on help for autistic children, your word is not to be relied upon. Get up and tell us if you've changed your mind.

**Hon. Mr. McGuinty:** We'll go through it again so the leader of the official opposition understands, and it will be interesting to see how he deals with his caucus on this matter.

Mr. Hudak has had a membership fee for the Albany Club paid for by his riding association. Mr. Klees's membership to the Richmond Hill Chamber of Commerce has been paid for by his riding association. Mr. Runciman's \$7,500, no-receipts-required honorarium has been paid for by his riding association. In 2004, in Barrie-Simcoe-Bradford, the riding association paid Joe Tascona over \$9,000 for undisclosed expenses.

Let me tell you what we have done since we've earned the privilege of serving Ontarians as their government. We have definitely set a high standard. We've opened up OPG and Hydro One to public scrutiny. We have re-

quired that all government expenses be submitted to the Integrity Commissioner. We are setting up a citizens' jury to look at political finance reform.

Again, I say that I have every confidence and faith in Minister Cordiano and all my ministers, who are respecting the law and who are being up front and transparent in terms of their expenditure filings.

**The Speaker:** New question.

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, I want to ask you about your standards for cabinet minister conduct.

Two years ago, when Chris Stockwell got into trouble for using riding association money—taxpayer-subsidized riding association money—to cover his personal expenses, you were very quick to condemn, and I want to quote you. "It is wrong to run some \$25,000 in family expenses through the riding association. To my way of thinking, Premier [Eves], you should have fired Chris Stockwell because what he did was wrong." But now it's obvious that your cabinet minister Mr. Cordiano is engaging in his Stockwellian tastes: expensive dinners, theatre tickets in London, expensive suits.

Premier, why won't you hold your own cabinet ministers to the standards that you were so quick to pronounce two years ago when judging a different cabinet minister?

**Hon. Mr. McGuinty:** Not only was it a different cabinet minister; it was a different set of circumstances. Again, that was a case of a minister who did not fully disclose his expenses, who tried to funnel them through a government agency, and who was subsequently found by the Integrity Commissioner to be in breach of the Members' Integrity Act.

That is not the case here. What we have here today is a case of a member who has had all of his expenditures approved by the Integrity Commissioner and who has had his party expenses approved by an independent third party auditor. So I say to the leader of the NDP, as I said to the leader of the official opposition, if you are aware of a particular rule that has been broken, then I would ask that you make that public so that we can all deal with that. If you believe that the minister has done something that runs contrary to the Members' Integrity Act, then of course you are free to bring this to the Integrity Commissioner.

1430

**Mr. Hampton:** Premier, as you said then, it's about your standards. These are the standards that you set two years ago when you were oh, so quick to judge and oh, so holy in terms of your description of the situation. This is not about the Integrity Commissioner. Mr. Stockwell volunteered to the media that he had put some of his personal expenses through his riding association. And that's exactly what you condemned: expensive meals in Paris, in Milan, in Tokyo, theatre tickets in London, all being taxpayer subsidized. You said then that cabinet ministers caught running expenses through riding associations should be fired because it's wrong. Premier,



didn't you mean what you said then? Were you not sincere in your words?

**Hon. Mr. McGuinty:** The Integrity Commissioner was right. He made a ruling that what Chris Stockwell did was wrong. To funnel expenses through the OPG and to not make those public was wrong. The then minister, Minister Stockwell, was caught up in a tangled web. The Integrity Commissioner ultimately made a ruling. I think he made the right ruling. I think everybody here would agree that he made the right ruling. There is no comparison in any way, shape or form to the grounds for that resignation with the circumstances behind Minister Cordiano, who has been very public, very up front about all of his expenditures. His expenditures have been approved by the Integrity Commissioner, and those that he submitted to his riding association have been approved by an independent third party audit, all of which has been made public.

**Mr. Hampton:** Premier, all the audit of the riding association figures proved is exactly what you condemned Mr. Stockwell for, that Mr. Cordiano was running personal expenses that you used to condemn through taxpayer-subsidized riding accounts. I want to quote you again from two years ago: "You cannot fob this matter over to the Integrity Commissioner. It's about you, your judgment and your standards. At what point in time are you, as Premier, going to exercise some leadership, at least some modicum of leadership, and tell your caucus and cabinet ministers that in your government, there are some things that are right and there are some things that are wrong?" That's to quote Dalton McGuinty two years ago. What Joe Cordiano has done, running personal expenses through a riding account, is the same thing.

I ask you what you asked then: When are you going to have the courage, the intestinal fortitude, the conviction to stand up and condemn this minister for what he did as wrong and ask for his resignation? That's what you said then, Premier. What's your answer now?

**Hon. Mr. McGuinty:** Again, I think the Integrity Commissioner was right. I think he made the right call. He said that you cannot funnel expenses through the OPG. He said that you've got to be up front with your expenditures, you've got to make those public. Minister Cordiano has done that on both counts. With respect to his government expenses, he has presented those to the Integrity Commissioner, and they have been approved. With respect to his party expenses, those have been submitted to his riding association. They have been the subject of a third party independent audit. Again, they have been approved.

If the leader of the NDP is aware of a rule that has been broken, then I ask him to make that clear to all of us. If he thinks that the government expenses, for some reason, have not been proper, then he can of course take this up with the Integrity Commissioner himself.

**The Speaker:** New question.

**Mr. Hampton:** To the Premier: Premier, you're doing your best to confuse the issue. The Integrity Com-

missioner doesn't look at riding association accounts, the Integrity Commissioner has no jurisdiction to look at riding association accounts, and that's what you were so quick to condemn about Mr. Stockwell two years ago.

But I want to ask you about another cabinet minister, Mr. Smitherman, because Mr. Smitherman, in his riding association return, lists \$11,174 in unspecified, undisclosed secret expenses. We know what Mr. Cordiano did, according to your standards of two years ago, was wrong. Could you tell us why Mr. Smitherman would run over \$11,000 of personal expenses through his riding association account and then not disclose what they're for, Premier?

**Hon. Mr. McGuinty:** I know that Minister Smitherman, earlier today, made public the individual items under his expenses. I'll have a page take it over to the leader of the NDP. Again, this was submitted in a very public, up front, open, transparent way to the riding association. The riding association has approved these, and the financial statement submitted by the riding association has been approved by an independent third party audit.

Again I say to the leader of the NDP, if there is some rule here that Minister Smitherman has broken, then we ask that you bring that to our attention. If you think somehow he's done something wrong in breach of the Members' Integrity Act, then we would invite you to bring that before the Integrity Commissioner himself.

**Mr. Hampton:** I say again, Premier, you were the one who said two years ago, "Don't try to fob this off on the Integrity Commissioner." You said two years ago that this was about the Premier's standards, the Premier's rules: what he would accept in terms of members' conduct. I see here that Mr. Smitherman has been doing the same thing: a \$3,000 clothing reimbursement and hospitality expenses of \$1,600, all being run through the riding association.

I would ask, why wouldn't Mr. Smitherman disclose this in the first place? One of the other promises you made was that your government would be open and transparent. What we've seen here is that Mr. Smitherman tried to run this through his riding association account without disclosing that these are personal expenses: clothing, hospitality. According to your standards of two years ago, this was completely unacceptable. How is it that it was unacceptable then, but now that you're on the other side of the House, it's completely acceptable according to Dalton McGuinty?

**Hon. Mr. McGuinty:** What we've got is a case here of Minister Smitherman, who has been very open and very transparent. If people want further detail, we have provided further detail. By the way, close to half of this \$11,000 expenditure was for delegate fees to attend an annual general meeting. Again, these are expenses that have been approved by the riding association executive; they've been approved by an independent third party auditor.

I don't think there's any way that you can compare the public and transparent manner in which Minister

Smitherman has acted with Minister Stockwell's activities when he funnelled expenses through OPG and was found by the Integrity Commissioner to be in breach of the Members' Integrity Act. Again I say to the member opposite, if he's aware of a rule that Minister Smitherman has breached, if he thinks he's contravened the Members' Integrity Act, then I invite him to bring this to the Integrity Commissioner.

**Mr. Hampton:** No one here is concerned about the Integrity Commissioner, and two years ago, you weren't concerned about the Integrity Commissioner. You were the one who said, "Don't try to fob this off on the Integrity Commissioner." No one here is concerned about OPG or Hydro One. We're raising the exact same issue that you raised two years ago when you said it was wrong for a cabinet minister to pass personal expenses—like going to an expensive theatre or to an expensive restaurant, or buying new suits—off on to taxpayer-subsidized riding association accounts. That's what Dalton McGuinty said.

What this typifies today is exactly what typifies your government: You say one thing before the election; you do something completely opposite after the election. Tell us, Premier, how do you justify this kind of blatant double standard: holier-than-thou before the election and see-no-evil after the election?

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**Hon. Mr. McGuinty:** The leader of the NDP is, I think, unfairly trying to draw a parallel between the activities of Chris Stockwell and the activities of either Minister Smitherman or Minister Cordiano. In the first instance, Mr. Stockwell was found by the Integrity Commissioner to have contravened the Members' Integrity Act, because he funnelled expenses through OPG, a government agency. What we have done is shine the light of transparency on OPG and Hydro One.

If the leader of the NDP is aware of some particular rule that has been broken here, in any way, shape or form, then I ask that he bring that to our attention. Again, if he thinks that any member over here has contravened the Members' Integrity Act, then I invite him to make a submission to the Integrity Commissioner.

**The Speaker:** New question.

**Mr. Robert W. Runciman (Leeds–Grenville):** I have a questions for the Premier as well, related to this issue. Yesterday, Premier, after—

*Interjections.*

**The Speaker:** I would ask the ministers who have been interrupting constantly to be much more quiet in their outbursts, or no outbursts at all during the questions, and allow the members to ask their questions undisturbed.

The member from Leeds–Grenville.

**Mr. Runciman:** I appreciate that intervention.

Yesterday, Premier, during a press scrum after question period, Minister Cordiano was explaining some of the more controversial expenditures that were raised in his filing, expenditures at very expensive restaurants, some outside of the country: Mezzo; Bistro 990. The

minister indicated that those were political dinners where he and his staff would get together; you know, it was a high priority to talk about riding issues while they were in Milan—that sort of thing. Premier, I would ask if you will indicate today that you are willing to release, and will release, Minister Cordiano's ministerial expense filings for the same period covered by the issues that are now in question.

**Hon. Mr. McGuinty:** The member should know that the Office of the Integrity Commissioner releases, on an annual basis, a report of the review of expense claims covering certain periods. I have here copies of his report—these are public documents—for the period April 1, 2004, to March 31, 2005, and April 1, 2003, to March 31, 2004, and in both cases there's a statement made therein by the Integrity Commissioner that says: "A review of all expense claims for the period"—and he lists the period—"has been completed, and I am pleased to report that all requests for reimbursements were complied with and all expense claims reviewed were subsequently approved." What the member is asking for is a matter of public record, and he should know that. Again, I say that Minister Cordiano has been up front and transparent about all of his expenditures.

**Mr. Runciman:** The response has nothing to do with the price of cheese. The Premier is running away from his own words and running away from what's left of his own reputation and integrity. What we're talking about here is the ability to compare the riding expenses and the contentions made by the minister as to what those expenses included, with ministerial expenses. I think the Premier, if he wants to be honest and up front with respect to a response here, will indicate that if there are any of these expenses that line up with ministerial expenses, I think it raises very serious questions about the veracity of the comments made by the minister during that press scrum. I think it's incumbent upon you to make that information public, and make it public today. Will you do that?

**Hon. Mr. McGuinty:** Again, the information is available through the Office of the Integrity Commissioner, and the reports are there for all to see. I would again contrast the member's activities with Minister Cordiano. He's been up front and transparent and has put forward all these items in order for either the Integrity Commissioner or an independent third party auditor to review and to approve or reject. The member has received a \$7,500 honorarium. If there are some receipts or itemized accounting for that \$7,500, then I'm sure we would be very interested in learning about that. More recently he received a \$3,000 honorarium, again, in my understanding, completely without receipts. Compare and contrast: open, up front, transparent and approved.

**The Speaker:** New question.

**Mr. Peter Kormos (Niagara Centre):** To the Premier: Yesterday, your Minister of Economic Development told reporters, "The odd expense I felt was more appropriately put through the riding association because it was political." Can you explain to this chamber the



political purpose of the theatre tickets that the minister purchased at the Leicester Square box office in London, England, for which he was subsequently reimbursed by his riding association?

**Hon. Mr. McGuinty:** There are government expenses and there are party expenses. When it comes to approval of government expenses, of course we look to the Integrity Commissioner. When it comes to the party expenses, that is a subject for consideration by a riding association executive, by riding association membership and, ultimately, by an independent, third party auditor.

I have made it clear today that there are a number of riding associations that have approved a number of different kinds of expenses. It ultimately falls to a riding association, its executive and its membership as to whether or not they are going to approve those kinds of things.

Again, if the member opposite is aware of any rule of any kind that anybody over here has broken, then I would ask that he make that public for all of us to consider.

**Mr. Kormos:** In 2003, your Minister of Community and Social Services said here in this chamber with respect to Cam Jackson, “\$842 for a meal at Soul of the Vine, and then in that same time frame he billed the riding association \$842 for a meal at Soul of the Vine.... Those bills were for a personal nature and therefore taxpayers shouldn't be footing that bill.”

Premier, please, can you explain the difference between the suit that your Minister of Economic Development's riding association purchased for him and the meals Mr. Jackson had that so angered your colleague two years ago?

**Hon. Mr. McGuinty:** I think what we were talking about in the case of Mr. Jackson was his trying to pass that off as a government expense. What we're talking about here is that Minister Cordiano has been scrupulous in terms of making a distinction between a government expense and a party expense. Government expenses have to be approved by the Integrity Commissioner. His expenses through the government have been approved by the Integrity Commissioner. With respect to party expenses, he has a responsibility to be accountable, of course, to the riding association and to an independent, third party auditor. He has done that. In each and every instance he has followed the rules. He has done what has been requested of him. He has been public, transparent and open, and in both cases his expenditures have been approved.

## HEALTH CARE

**Mr. Mike Colle (Eglinton–Lawrence):** I have a question for the Premier. The Supreme Court of Canada ruled today on the constitutionality of the medicare laws in Quebec. Premier, we know that this ruling only applies to Quebec as it relates to its own charter, but, as you can imagine, some may be worried that the decisions made today can potentially affect our universal medicare system here in Ontario.

Can you reassure the people of Ontario that universal, one-tiered, accessible and publicly administered medicare will remain protected in Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I want to thank the member for a very important question. I know that some Ontarians may very well be concerned as a result of the decision made at the Supreme Court of Canada level which was made public today.

I want to be very clear: Ontario's position on medicare is very clear and, in fact, it is now embodied in Ontario law, our Commitment to the Future of Medicare Act. This law protects universal, public medicare. It ensures that all Ontarians have access to quality care, regardless of their ability to pay. Medicare, in combination with our law, the Commitment to the Future of Medicare Act, gives expression to what I think is a universal desire on the part of Ontarians to ensure that we are giving good, quality health care to all Ontarians, regardless of their ability to pay. The only reason we want to look after our sick Ontarians is because they happen to be sick.

What I want to offer today to the people of Ontario is reassurance that we have a law in place, but more important than that, that we have a government that is committed to universal public medicare.

1450

**Mr. Colle:** Premier, under your leadership in the last election, we went door to door and spoke to the people about our plans to improve medicare and protect it in Ontario. We spoke about our plans to reduce wait times, to provide greater access to doctors and nurses, and about our plans to make Ontarians healthier. What are we doing to improve the quality of health care and finally restore confidence in medicare in Ontario?

**Hon. Mr. McGuinty:** You may know that in part the subject of the matter that was brought before the Supreme Court of Canada had to do with access to timely health care, and the issue was related to wait times in particular. We have a very aggressive strategy in Ontario, championed by my Minister of Health, Mr. Smitherman.

We have just recently made the largest increase in a decade in terms of funding to attack wait times in Ontario: \$154 million. With that additional investment, we're going to buy 24% more MRI scans; we're going to replace 26 CT machines with new equipment; we're going to increase our hip and knee operations by 16%—that's 4,300 more; we're going to increase our cardiac procedures by a full 7%—that's 7,000 more; we're going to increase our cataract procedures by 13%—that's 14,000 more; and finally, we're going to increase our cancer surgeries by 2,900 more.

We understand that Ontarians are concerned about wait times, but I want them to know that they have a government in place that is attacking this in a very aggressive way.

## MINISTERS' EXPENSES

**Mr. Frank Klees (Oak Ridges):** My question is to the Premier. I can understand why the Premier doesn't want to talk about this, but I think it's very important. "It's about your judgment, Premier, and your standards": Those were your words on June 17, 2003. With regard to the issue of expenses, I think we should focus on the issue of judgment. I would now ask you, in light of your comments about the importance of judgment, do you believe it was good judgment on the part of the minister to put the claims forward that he did put forward? Regardless of the rules, regardless of approval, was it good judgment?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I think it was very good judgment that the minister reported all of his expenditures. He made those public and transparent. He didn't try to hide anything. Those that should be reported by way of government expenditures were reported to the Integrity Commissioner and subsequently approved. Those that were party expenditures, he reported to his riding association. They were approved by his membership, through the executive, and ultimately by an independent third party audit.

I say to the member opposite, if he's aware of any particular rule that Minister Cordiano has breached, than he should bring that to our attention.

**Mr. Klees:** I would ask the Premier, given the issue around these rules that are approved, rules that allow suits to be approved by a riding association or by an independent auditor, will the Premier now undertake to change those rules, to in fact put in place rules that will ensure that expenses that are submitted by members are legitimate expenses that relate to the business we perform as members of the Legislature? Will the Premier agree to show some leadership, take initiative and ensure that those rules are very clear for members of this Legislature?

**Hon. Mr. McGuinty:** I have confidence in our riding associations and independent third party auditors to approve of expenditures submitted by members. Now maybe the member opposite does not feel that way. Maybe he feels his riding association's approval of his membership fee to the Richmond Hill Chamber of Commerce was inappropriate. If that is the case, then he should refund that money to his riding association. If he feels that his colleague Tim Hudak was inappropriately funded a membership fee for the Albany Club, then he should convey that to Mr. Hudak and advise him to return that money to the riding association. If he feels that the honorarium awarded to Mr. Runciman to the tune of some \$7,500 one year and a \$3,000 honorarium elsewhere—then perhaps he should convey that to the members of his party. I would say again that Minister Cordiano has in fact followed all of the rules. He's been public, transparent and open. Beyond that, his expenses have been approved.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Howard Hampton (Kenora-Rainy River):** Premier, two years ago you were very clear. You said that when cabinet ministers get caught running personal expenses through riding associations they should be fired because it's wrong. You said that taxpayers should not be subsidizing, through riding associations, personal expenses like a vacation, personal expenses like clothing or personal expenses like an expensive restaurant. Yet we have a case here where your cabinet ministers now, two years later, have been doing exactly what you said was wrong two years ago. Can you tell us what your justification is for suddenly saying what was wrong two years ago under another government is now quite acceptable under your government?

**Hon. Mr. McGuinty:** Again, the leader of the NDP is making an unfair comparison between Minister Cordiano and Chris Stockwell. Minister Cordiano has been public, up front and transparent when it comes to all of his expenditures. He has sought and obtained approval from either the Integrity Commissioner or his riding association executive in an independent third party audit. In the case of Mr. Stockwell, he tried to funnel government expenses through the OPG and was found by the Integrity Commissioner to be in violation of the Members' Integrity Act. Again, Minister Cordiano has been up front, public and transparent. He has sought the necessary approvals. Those approvals have also been obtained.

**Mr. Hampton:** Two years ago you were very quick to say, "Don't try to fob this off on the Integrity Commissioner; don't try to fob this off on someone else." You were very quick to say that this is about the Premier's standards; this is about what a Premier allows in terms of the conduct of his cabinet ministers. You were very quick to point out then that it was about what the Premier considers acceptable.

Premier, I'm asking you today, if it was unacceptable then for someone like Chris Stockwell to claim personal hotel expenses and run them through his riding association, to run restaurant costs through his riding association, why is it acceptable now for your cabinet minister to do exactly the same thing?

**Hon. Mr. McGuinty:** It was unacceptable and it remains unacceptable to try to funnel expenditures through OPG. In fact, we've ensured that cannot happen again by making OPG subject to greater transparency.

Minister Cordiano has, throughout, done what has been required of him. When it comes to his government expenditures, he has submitted those to the Integrity Commissioner and they've been approved. With respect to his party expenditures, he has submitted those to his riding association, through the executive, which has in turn filed a financial statement which has been approved by an independent third party auditor. He has been open, public and transparent. He has submitted the necessary information. His expenditures have been approved on both counts. He has done what has been required of him.



## TEACHERS' CONTRACTS

**Mr. John Wilkinson (Perth-Middlesex):** My question is for the Minister of Education. Minister, the Elementary Teachers' Federation of Ontario and the Ontario Public School Boards' Association entered into an historic agreement on provincial issues about six weeks ago. The framework agreement was excellent news for students: 1,300 specialist teachers in art, music, phys ed and libraries would be hired, as well as teachers to reduce class size. All of this is the centrepiece of a \$128-million framework agreement.

Minister, your deadline of June 1 passed, with several school boards still to conclude contracts. Many parents and students in my riding were concerned when you suspended, on June 1, access for certain boards, including the Thames Valley District School Board and the Avon Maitland District School Board. Minister, can you please update this House on how many contracts between elementary teachers and school boards are still outstanding?

1500

**Hon. Gerard Kennedy (Minister of Education):** Thank you for the question. I also want to thank the member opposite for his helpful involvement in terms of making sure of what we need to get arrangements done, which is a good environment. In Avon Maitland, Thames Valley and the seven other boards that were taken out of the provincial framework because they hadn't maintained that environment, I'm pleased to report to the House that as of early this morning, all of the boards have been able to succeed in arriving at collective agreements. So we have now 116 out of 122 boards concluded, and none that are not in goodwill conditions, and we expect now that we will have all 122 concluded very shortly. There are no students, then, who are going to be denied any of the benefits that are under this. I'm very pleased to say that the teachers and the boards have reconciled themselves to the provincial framework, and they've done it in a way that I think provides a real platform for the future and a goodwill environment in the way that they're agreeing on things that are important to students.

**Mr. Wilkinson:** That is absolutely fabulous news. Four-year agreements with elementary teachers will mean peace and stability in our schools across Ontario until 2008. Minister, what new supports can parents and students in my riding expect will follow from these agreements, and what is the status of negotiations with secondary teachers?

**Hon. Mr. Kennedy:** Again, the four-year agreements with elementary teachers mean more than just peace and stability. They mean that there will be 2,000 specialist teachers available providing arts and music, phys ed and an enhanced education in a variety of areas, whether it's literacy or numeracy or those that I've mentioned. It also means, though, that there's a clear signal that public education is moving forward, that any parents or anybody in the province thinking of not committing their children to public education now can be assured that there is a clear point not just of stability but of progress, and we're

going to make up for some of the losses of years in the past.

As well, Mr. Speaker, I'm pleased to tell you and the rest of the House that the secondary agreements are almost all completed as well. We only have in total six outstanding, and they're being done under goodwill conditions. The boards are working hard, as are the teacher federations, and that means they also will have their own significant benefits, particularly in the way of help for students who are struggling. There will be approximately 2,000 teachers in that area as well. I should add that these are in addition to the other benefits, such as reduced class size and enhanced programs in a variety of areas. There has been a tremendous amount of effort with education, and this House I think—

**The Speaker (Hon. Alvin Curling):** Thank you. New question?

## MINISTERS' EXPENSES

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** Premier, yesterday you found out about the spending habits of your Minister of Economic Development and Trade. You found out that he's been spending riding association money on suits, meals and theatre tickets, not just here in Ontario, but in other countries where it's more difficult to claim he's doing political work on behalf of the Ontario Liberal Party. When you were leader of the official opposition, you called on a minister to resign from cabinet. In these circumstances, not asking the Minister of Economic Development and Trade to resign would demonstrate you have an ethical double standard: You have one rule for Liberals and a different rule for everyone else. Will you live up to the standard that you set when in opposition and ask for the minister's resignation?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I think the important standard to which we must all adhere is to understand that it is wrong to funnel expenditures through a government agency in an attempt to hide them from public view and public scrutiny. In fact, that was found by the Integrity Commissioner to be in violation of the Members' Integrity Act. Again, I say with respect to Minister Cordiano's expenditures, whether of a governmental nature or of a party nature, they have been approved in both instances, respectively, by the Integrity Commissioner and an independent third party audit. He has been open, public and transparent. He has made the information available to those who review these matters, and that information has been approved.

**Ms. Scott:** Yesterday the Minister of Economic Development and Trade said in his own defence, "The Integrity Commissioner has gone thoroughly through my expenses on travel-related matters." But the Integrity Commissioner didn't audit the expenses submitted through the riding association.

The minister, when he was a member of the opposition, asked a question in the Legislature dealing with

spending excesses. He asked, "Don't you think it's time to clean up your act and become more accountable to the public?"

Premier, isn't it time that you became more accountable to the public and stopped using the double standard? It's time for you to act with integrity and time for you to ask your minister to resign.

**Hon. Mr. McGuinty:** Again, I think Minister Cordiano has been exemplary in terms of his accountability. He has made his expenditures public. He has submitted them to the appropriate individuals, whether to the auditor of the riding association or the Integrity Commissioner.

Today, it's obvious that we have riding associations in the province of Ontario covering membership fees to the Albany Club, memberships to the Richmond Hill chamber of commerce, and honoraria paid to an individual. In another case, we have \$9,000 for undisclosed expenses. The member opposite may be saying that she wants to second-guess the judgment of the Conservative riding association executives.

I have confidence that Minister Cordiano has submitted the appropriate expenditures and that he has been approved by the appropriate authorities.

**The Speaker (Hon. Alvin Curling):** New question. The member from Beaches–East York?

**Mr. Michael Prue (Beaches–East York):** My question is to the Premier. Mr. Premier, in your election platform you said, "The Harris-Eves government treats your money like it is their own. We think that is irresponsible. We will treat your hard-earned dollars with respect." In that same document, you promised parents raising families on social assistance that you would cut government waste and find the money to end the clawback of their baby bonus.

You've broken both of those. Two years later, the parents are still being clawed back, and two years later, you are not respecting taxpayers' money.

Mr. Premier, my question is a difficult one, I think, for you: Can you explain why blowing public money on suits, expensive meals and theatre tickets is just as acceptable for you as breaking your promises to poor children?

**Hon. Mr. McGuinty:** To the Minister of Community and Social Services.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me just say this: Since the time that we did our work in opposition, I can guarantee you, without even looking—although I will commit to look—that the level of expenses that are paid to ministers through this government would pale in comparison to that of the last government. I can tell you that it's about time a government of Ontario understood that when we spend taxpayers' money, we spend it like it's our own. I will guarantee you that the expenses of the ministers in this cabinet don't come anywhere near those of the last government.

I will tell you how proud I am of our children's policy in this government; in particular, the national child benefit policy, which we changed immediately upon forming the government.

*Interjection.*

**The Speaker:** We'll wait till the member from Nepean–Carleton quiets down a bit. Your mic is not on when I'm standing, and you know that.

*Supplementary?*

**Mr. Prue:** Madam Minister, I look forward to that very day when every poor child you speak of has a \$1,300 suit—

**Mr. Gilles Bisson (Timmins–James Bay):** And a riding association to pay for it.

**Mr. Prue:** —from the riding association.

You tell parents raising children in poverty that Ontario can't afford to end the clawback. That's what you say. Then you turn around and say it's OK for cabinet to blow thousands on foreign travel, expensive meals, theatre tickets and thousand-dollar suits.

Before the election, you and your government said it is wrong to run \$25,000 in family expenses through the riding association. Why is it OK now, when children of families on disabilities continue to go hungry?

**Hon. Ms. Pupatello:** Let me say this: The member opposite is part of a government and a party that lost 1,000 jobs a week. In comparison, our minister responsible for economic development has brought Ontario \$3.5 billion in auto investment. Where I come from, that is a significant investment. And do you know what that means? Taxpayers are happy to support the policies of our government, which are there to support children, including changes to the national child benefit, because since we took office, there are millions more remaining in the hands of families, especially those who are our most vulnerable families—millions of dollars today left in the hands of those families. I am proud of the achievements of this government for those families, our most vulnerable families. They deserve help, and they are getting it from this government.

1510

## HIGHWAY 406

**Ms. Jennifer F. Mossop (Stoney Creek):** My question is for the Minister of Transportation. Earlier today, you, along with Minister Bradley, were down in my neck of the woods, down in the Niagara area, and you announced that the McGuinty government will be widening Highway 406 through the Niagara region. I cannot tell you how happy the people of Niagara are to hear this from you today. So thank you on behalf of the people of Niagara.

Anybody who has done any commuting in the greater Toronto area or in the Golden Horseshoe knows that there's no greater madness than commuting. As the great author Agatha Christie said, in the very old days one would try to be mad in the sane world, but nowadays one has to be sane in a very mad world, and the greatest



madness out there is the traffic congestion on our highways. We're very happy to see you working on that. Not only is it just madness when you're sitting there frittering away hours and hours, cobwebs growing on your bumper, but this will be a tremendous contribution to the economy. Can you please explain that link for us?

**Hon. Harinder S. Takhar (Minister of Transportation):** I want to thank the member from Stoney Creek for asking this question. I was very pleased to have two of my colleagues join me this afternoon to make this announcement: Minister Bradley, the member from St. Catharines, and my colleague Kim Craitor from Niagara Falls.

This is a great investment and a great announcement for the region of Niagara. Let me tell you what we announced. The McGuinty government has announced \$25 million to upgrade Highway 406 from two lanes to four lanes between Beaverdams Road and Port Robinson. In addition to that, we will be doing the interchange on Highway 20.

We feel this is a great investment for the region. It's a great economic corridor, and in order to grow that area, we need to make these sorts of investments in that region. We are putting about \$1 billion into highway infrastructure this year, and this is part of that investment.

**Ms. Mossop:** Minister, we are really, really pleased to hear this news. You may remember—all the members in this House will remember—that back on April 25 to 27 we had a delegation come from Niagara. The Niagara Economic and Tourism Corp. came to Queen's Park to demonstrate to our government the importance of a strong Niagara economy to our province. They talked specifically about getting the expansion to the 406, so I know that there is a great deal of celebration in Niagara today.

For far too long, other governments have failed to recognize the vital role of the Niagara region in our provincial economy. Minister, can you tell the Legislature what this announcement today means, not just for the province but also for the people and the businesses of Niagara?

**Hon. Mr. Takhar:** I'm sure my colleague the Minister of Tourism and Recreation will be more than pleased to answer this question.

**Hon. James J. Bradley (Minister of Tourism and Recreation):** And so I am, Mr. Speaker. This was delightful news for the Niagara region today, because I remember in 1999, during the election campaign—the member for Welland-Thorold of the day could tell me. Wasn't there a press conference with a couple of Conservative ministers and the local Conservative member? They were going to build the 406. It did not happen. It wasn't even in *The Road Ahead*, the Conservative platform.

But this time it is being done, and it is being done because it will bring economic benefit to the Niagara Peninsula. It will help tourism, because everybody wants to get down to Welland and Fonthill to enjoy the tourism. That's exceedingly important.

There's another very important reason, however, for this, and that is, with the greenbelt legislation, we want to ensure that you can grow to the south of the Niagara region. We can grow to the south of the Niagara region, because we have a wide—

**Mr. John R. Baird (Nepean—Carleton):** Time, time.

**The Speaker (Hon. Alvin Curling):** Order. I am the one who keeps the time here. As a matter of fact, if you'd allow him to speak, there would be another question. But you continue to talk on and on until we have almost burned the time off. I'll take one new question.

## MINISTERS' EXPENSES

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. We've had some trouble today, and because we have this one more chance, perhaps you could enlighten us with respect to what your opinion is—we know what it was before—regardless of what party we're talking about, with respect to the issue of taxpayer-subsidized money being used to fund these various kinds of expenses.

What I'd like to ask you is this: You said earlier today that we could get access to these receipts and other information from the Integrity Commissioner; as you know, we have to apply for those under freedom of information. The Integrity Commissioner's report tells us nothing about individual expenses. It takes months and months. You said they needed a software consultant to come in and get us the report.

Would you agree, as I asked you in writing earlier today, to have tabled for us immediately the minister's expense reports, which the Integrity Commissioner would never have seen in the context of the discussion we've had today, and would you agree as well to have made available to us right away the material that backed up the audited statement of the member's riding association? Will you agree to make those things available to us?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** What the member is effectively doing is questioning the judgment, in one instance, of the Integrity Commissioner, saying that he was not provided with adequate information before he made his call as to whether or not he should approve these expenditures. On the other hand, he's saying that the independent third party auditor did not have adequate information before he made a call with respect to the party expenditures. Well, I have confidence in both the Integrity Commissioner and the auditor.

I say that Minister Cordiano has submitted all the information required—he's done so in full—and I would compare and contrast that with some of the information submitted by Mr. Tory in his campaign for the mayoralty. We have a copy of some of his municipal filing here. It is literally jotted down on the back of an envelope. Apparently, that is his standard when it comes to submitting information. Mr. Cordiano has done everything that has been required of him. It has been submitted to the appropriate authorities, and it has been approved in full.

## PETITIONS

### AUTISM TREATMENT

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** I have a petition to the Legislative Assembly of Ontario, which reads as follows:

“Whereas children with autism who have reached the age of six years are no longer being discharged from their preschool autism program; and

“Whereas these children should be getting the best special education possible in the form of applied behavioural analysis,” also known as ABA, “within the school system; and

“Whereas there are approximately 700 preschool children with autism across Ontario who are required to wait indefinitely for placement in the program, and there are also countless school-aged children that are not receiving the support they require in the school system; and

“Whereas this situation has a negatives impact on the families, extended families and friends of all of these children; and

“Whereas, as stated on the Web site for the Ministry of Children and Youth Services, ‘IBI can make a significant difference in the life of a child with autism. Its objective is to decrease the frequency of challenging behaviours, build social skills and promote language development’;

“We, the undersigned, petition the Legislative Assembly of Ontario to fund the treatment of IBI for all preschool children awaiting services. We also petition the Legislature of Ontario to fund an educational program in the form of ABA in the school system.”

I support this and affix my signature.

### TENANT PROTECTION

**Mr. Tony Ruprecht (Davenport):** I have a petition from the Doversquare Tenants Association, who keep sending more petitions to the Legislature. It reads as follows:

“Whereas the so-called Tenant Protection Act of the defeated Harris-Eves Tories has allowed landlords to increase rents well above the rate of inflation for new and old tenants alike;

“Whereas the Ontario Rental Housing Tribunal ... created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs and this same act has given landlords wide-ranging powers to evict tenants; and

“Whereas our landlord, Sterling Karamar Property Management, has applied to the Ontario Municipal Board ... to add a fourth high-rise unit to our compound in order to circumvent city of Toronto restrictions on density and the city’s opposition to its project;

“Whereas this project would lead to overcrowding in our densely populated community, reduce our precious

green space, further drive up rents and do nothing to solve the crisis in affordable rental housing;

“Whereas this project will drive away longer term tenants partially shielded from the post-1998 Harris-Eves rent increases, thereby further reducing the number of relatively affordable units in the city core;...

“We, the undersigned, residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

“To institute a rent freeze until the exorbitant Tory guideline and above-guideline rent increases are wiped out by inflation;

“To abrogate the Harris-Eves ‘Tenant Protection Act’ and draw up new landlord-tenant legislation which shuts down the notoriously pro-landlord ORHT and reinstates real rent controls, including an elimination of the Tory policy of ‘vacancy decontrol.’”

I will forward this to you, Mr. Speaker.

1520

### VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo–Wellington):** My petition is to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

“Whereas the Ontario Professional Fire Fighters Association has declared their intent to ‘phase out’ these double-hatter firefighters; and

“Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

“Whereas Waterloo–Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the provincial government express public support for MPP Ted Arnott’s Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time.”

Of course I support this petition. I want to thank Dave Anderson for his help in circulating it.

### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Kathleen O. Wynne (Don Valley West):** “Whereas Dalton McGuinty and his Liberal government



were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I'm submitting this on behalf of my constituents. John will deliver it to the table.

#### HIGHWAY 26

**Mr. Jim Wilson (Simcoe-Grey):** To the Legislative Assembly of Ontario:

"Whereas the redevelopment of Highway 26 was approved by MPP Jim Wilson and the previous PC government in 2000; and

"Whereas a number of horrific fatalities and accidents have occurred on the old stretch of Highway 26; and

"Whereas the redevelopment of Highway 26 is critical to economic development and job creation in Simcoe-Grey;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government stop the delay of the Highway 26 redevelopment and act immediately to ensure that the project is finished on schedule, to improve safety for area residents and provide economic development opportunities and job creation in Simcoe-Grey."

I sign the petition and I agree with it.

#### CREDIT VALLEY HOSPITAL

**Mr. Kuldip Kular (Bramalea-Gore-Malton-Springdale):** My petition is to the Legislative Assembly of Ontario:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I also affix my signature to this petition.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr. Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition that reads as follows:

"Whereas:

"(1) Many senior citizens are on a fixed income;

"(2) Prescriptive eyeglasses are costly;

"(3) Dental care is very costly;

"We, the undersigned residents of Ontario, call upon the Legislature to include eyeglass prescription and replacement as well as dental care and dentures as part of the Ontario drug plan."

#### REFUNDABLE CONTAINERS

**Mr. Tony Ruprecht (Davenport):** I keep getting petitions against beer bottles, Tetra Paks and cans in parks. It's addressed to the assembly, and the Minister of the Environment specifically, and it reads as follows:

"Whereas we find lots of pop cans and beer bottles in our parks plus children's playgrounds;

"Whereas it is therefore unsafe for our children to play in these parks and playgrounds;

"Whereas many of these bottles and cans are broken and mangled, therefore causing harm and danger to our children;

"Whereas Ontarians are dumping about a billion aluminum cans worth \$27 million into landfill every year instead of recycling them;

"Whereas the undersigned want to see legislation passed to have deposits paid on cans and bottles, which would be returnable and therefore not found littering our parks and streets;

"Therefore, we, the undersigned, strongly urge and demand that the Ontario government institute a collection program that will include all pop drinks, Tetra Pak juices and can containers to be refundable in order to reduce littering and protect our environment."

Since I agree with this petition 100%, I'm delighted to sign it.

#### COMMUNITY HEALTH CENTRES

**Ms. Laurie Scott (Haliburton–Victoria–Brock):**

"To the Legislative Assembly of Ontario:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget; and

"Whereas a CHC in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock CHC proposal submitted on February 27, 2003, be funded as recommended by the district health council."

These petitions were received from Larry O'Connor.

#### CREDIT VALLEY HOSPITAL

**Mr. Bob Delaney (Mississauga West):** I have a petition here given to me in part by Glenna Hossa of Bucklepost Road in Meadowvale and Yu Dana of Ash Row Crescent in Erin Mills, and it relates to capital improvements at the Credit Valley Hospital. It's signed by many other people, and it reads as follows:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now, and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I'm pleased to sign it, to grant it my full endorsement, and to ask Alexandra to carry it for me.

1530

#### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Frank Klees (Oak Ridges):** This petition is to the Legislative Assembly of Ontario regarding the Huronia Regional Centre.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close Huronia Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities; and

"Whereas Ontario could use the professional staff and facilities of Huronia Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep Huronia Regional Centre, home to people with developmental disabilities, open, and to transform them into 'centres of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

Because I fully support the content of this petition, I am pleased to add my signature to it.

#### ORDERS OF THE DAY

##### TIME ALLOCATION

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 144, An Act to amend



certain statutes relating to labour relations, when Bill 144 is next called as a government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That no deferral of any vote, pursuant to standing order 28(h), be allowed; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to 10 minutes.

**The Speaker (Hon. Alvin Curling):** Further debate?

**Mr. Kevin Daniel Flynn (Oakville):** Are we speaking to the motion on time allocation?

**Hon. Mr. Caplan:** Yes.

**Mr. Flynn:** Then I would rise in support of that and will be happy to join the debate on Bill 144 after the vote is called.

**Mr. Tim Hudak (Erie—Lincoln):** I'm pleased to rise and debate on the time allocation that was just put forward by the Minister of Public Infrastructure Renewal.

I appreciate the comments by the member for Oakville, indicating he was looking forward to the vote, but we're not quite ready to rush into a vote yet. We do regret that yet another time allocation motion has been put on the floor, particularly on a bill of the importance of Bill 144, which makes substantial changes with respect to labour relations.

I had the opportunity to speak to this on second reading. I know our critic, the member for Kitchener—Waterloo, looks forward to further commenting on this time allocation motion as well and has brought this up in debate.

But it takes us backwards, in many senses, to eliminating the democratic right for members to choose whether they want to belong to a union or not belong to a union. I thought that fundamental to our own system of government, I thought that fundamental to our values as Canadians, that individuals of their own free will could make a decision on whether to join a union and engage in collective bargaining or choose not to and be based on individual contracts. This instead leaves members open, quite frankly, to being forced into a union without a secret, closed, private decision, free from coercion from management, free from coercion from union leaders, to actually make the decision as to their own fate, on whether to join in a union or not. We think that's a fundamental aspect of our culture as Canadians.

Now, it doesn't do that across the board; only in the construction sector does it make that particular change. You'd think this would be principles-based: You either believe in the secret ballot vote to join a union or not, or you would believe in card-based certification, which allows a certain percentage of individuals to sign cards that they're interested in a union, and then a union would be recognized. You'd think you would have a principle that would be consistent: You either believe in one system or the other, which is most fair to the rights of individuals.

We here in the Progressive Conservative Party believe that the most fair method is to allow for a secret ballot vote and individual choice. We have been consistent in that respect. In fact, under the previous Minister of Labour, we brought in bills to make sure there were secret ballot decisions. I know my colleagues in the third party similarly feel that you should be consistent. They believe in card-based certification, and they have been consistent. What's puzzling is that my colleagues opposite, the government members, choose it in one instance but reject it in another altogether. You would think there would be some consistency, and people have raised allegations in this chamber, have surmised that it might have something to do with favouritism toward certain unions and not toward others, perhaps for political reasons. I've not been convinced by any arguments by the Minister of Labour or anybody else that there is a logical reason to do so, leaving us with the only recourse: to believe that it was done more for political reasons, to split that up, than anything else.

At any rate, that's why we have been strongly opposed to Bill 144, among other reasons, on this side of the floor. We regretted today's time allocation vote instead of the vote on the particular bill, but we look forward to voicing that vote. We do hope for changes and remain optimistic, but as I said on second reading, there remain a significant number of reasons why we find 144 objectionable and why we have taken a stand against that legislation, consistent with our colleagues in the third party. My colleague from Nickel Belt—she's speaking next on this bill—will make her party's stand very clearly, as she has in the past, and again with consistency.

With that, Mr. Speaker, I thank you for your time and look forward to discussion from my colleagues.

**Ms. Shelley Martel (Nickel Belt):** We've got a time allocation motion before us to shut down the debate on Bill 144, and we will be opposing that time allocation motion, as we have opposed time allocation motions on other bills in this assembly. It continues to be used as a mechanism to shut down legitimate debate, shut down the opposition who are trying to express legitimate concerns about the bills that are before us, and Bill 144 is no exception.

From the start, when this bill was introduced, New Democrats could not believe that the government would use Bill 144 as a mechanism to put discrimination into the workplace. I say that because the government's move on card-based certification is discriminatory, and we oppose it very much for that reason. Card-based certification is a mechanism that can be used by workers to form a trade union, and the people who are watching today should know that card-based certification was not brought in by an NDP government; it was brought in by a former Conservative government. In fact, card-based certification had historically been used as a mechanism to form a trade union up to the point in time when the Conservatives were elected in 1995. So through successive Conservative governments, going back to Leslie Frost, then through to Bill Davis, then through to Frank

Miller, then through a Liberal government under David Peterson and an NDP government under Bob Rae, card-based certification was recognized as a legitimate mechanism for men and women to use to form a trade union, which could then be used to bargain for wages and salaries, to bargain for benefits, to bargain for pensions, to bargain for better health and safety—the list goes on. The point is that it had been recognized as a legitimate mechanism to do that kind of thing, to facilitate the formation of a trade union, through successive governments who had very different philosophical views.

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I regret very much that one of the many changes that was made to labour laws by the former Conservative government in 1995 was to end card-based certification as a mechanism for men and women to use to form a trade union—gone. And the Conservatives made it very difficult for men and women to form a trade union. They made other changes, not only abolishing card-based certification as a mechanism, but other changes with respect to forming a trade union that have made it very difficult, under their two successive mandates, for people to legitimately be part of a trade union.

They did a whole bunch of other things with respect to labour that I was very much opposed to as well. One of the first changes they made was to repeal our Bill 40, which was a very important piece of legislation to ban scabs, to ban scab labour, in the province of Ontario. Under our government, I was pleased that our Minister of Labour brought in legislation, much as has been in Quebec for many years, that prohibited employers from using replacement workers during a strike or a lockout in a workplace in the province of Ontario. One of the prime reasons for doing that is to ensure that there isn't violence on a picket line. An employer can't hire thugs and bring them to the picket line in security vans and harass and intimidate people and follow them home and cause problems on a picket line that ultimately lead to violence situations.

In my community, after the Conservatives repealed that law and after employers could use scab labour again, a major strike we had with Mine-Mill workers at Falconbridge resulted in a lot of violence on picket lines because the employer used a thug company called Accufax who made it a point to cause all kinds of disruption on the picket line, to follow people home, to survey them when they were driving and all kinds of other things that were a real form of intimidation. There was violence on that picket line, and it was very disturbing to see. During the time when scabs were banned under our government, that type of thing couldn't happen because the employer couldn't bring in replacement workers when people were legitimately out on strike. That was another one of the changes.

The Conservatives also repealed a law we had in place that allowed agricultural workers to form a trade union; agricultural workers who work in canning factories and mushroom factories and horticultural factories, people who had a legitimate right to form a trade union and

bargain, especially for health and safety, because health and safety is atrocious in some of those employment areas. That was another piece of labour law that that Conservative government undid as well. So the change around card-based certification was but one of a number of regrettable, negative changes made by the former Conservative government with respect to labour law.

I would have assumed, if the government was going to reinstate card-based certification as they claim to do in this bill, that the Liberal government would respect what had been past history and past tradition, even of a former Liberal government under David Peterson, and reinstate card-based certification for all workers, because all workers had card-based certification before the cancellation of the act under the Conservatives. If we were going to restore what had been in place to protect workers, to allow them to legitimately form a trade union, then we should have restored and reinstated what had been in place under successive governments for over 50 years in this province. But what did the Liberal government do? Well, instead of reinstating rights for all workers to use card-based certification as a method to form a trade union, this government has decided that only one sector of workers is entitled to use card-based certification to form a trade union. This government has decided, for reasons that I still do not understand, that only those workers in the construction industry will be able to use card-based certification to form a trade union. Only those workers have protection from intimidation by employers who would use that period of a drive to form a trade union to really intimidate new workers.

We have seen that happen. We saw that happen under the Conservatives when they got rid of card-based certification. We know that is a fact in so many workplaces, especially where there are new, young workers who are not aware of their rights; in workplaces where you have a lot of female workers who are intimidated by the employer; in workplaces where you have a lot of new Canadians who don't understand their rights and are intimidated by their employer. We saw, under the Conservatives, when they got rid of card-based certification, that employers in those sectors used all kinds of tactics to really try and halt a drive that might have been going on to unionize in a particular workplace, and many times they were successful with that intimidation.

Card-based certification protects workers from that kind of intimidation. That's what you especially need in workplaces where there are a lot of young workers who don't know their rights, where there are female workers, where there are workers who are new immigrants to Canada and don't know their rights as well and can be easily intimidated. That's the kind of protection you need: to have card-based certification, to protect those folks from intimidation when they're trying to form a trade union to bargain for better working conditions.

This government thinks it's OK to discriminate against classes of workers, and I am opposed to that. This government thinks it's OK to allow card-based certification only for a certain sector of workers in the prov-



ince, and I disagree with that fundamentally. We should be going back to what has been traditional and what has been historic in this province, and that is a recognition that all workers, regardless of the sector, regardless of the workplace, have a right to card-based certification as a mechanism to form a trade union.

I heard the government try and say that the construction industry was different, and that's the reason that card-based certification was only being applied to this sector. I don't know what the difference is in the construction industry now from what it was for 50 years previous to the Conservatives cancelling card-based certification; I don't see any difference at all. Card-based certification worked on the construction site and every other site for 50 years before the Conservatives cancelled card-based certification as a mechanism to form a trade union. There's nothing different about this sector that allows it to have a different right and different protections than workers in other sectors. I'd say the same if the situation were reversed: if the government was extending card-based certification to all other workers, to each and every other worker except those in the construction industry. I wouldn't agree with that either, because that's discrimination too. All workers, in every sector, in every workplace in this province, should be allowed to use card-based certification as a mechanism to form a trade union—no discrimination against any class of workers, no discrimination against any sector of workers, no discrimination, period. That would be the fair and right thing to do if this government was truly interested in reinstating rights to those who want to form a trade union.

At the public hearing in Waterloo—which I wasn't at, because on the same day that there were public hearings on this bill in Waterloo, I was also in public hearings in Tillsonburg on a different bill—I gather, on that day those unions, even a number of unions who are going to get this protection, came to those public hearings and said that they recognized that card-based certification should be extended to all workers, that it wasn't right for the government to pick and choose, that it wasn't fair for the government to pick and choose, that it was discriminatory for the government to pick and choose who could be protected by card-based certification and to leave a whole category of other workers behind, namely some of the workers—young workers, women workers, immigrant workers—who most need protection during a union drive.

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It's clear that the government, through this process, even though amendments were moved by my colleague Mr. Kormos, even though trade unions came forward and said all workers needed to be protected, did not hear what all workers and their trade union representatives had to say and made no change to extend card-based certification to all workers, as we had in this province for 50 years before the Conservatives cancelled this particular mechanism.

I say to the government, I regret that you want to discriminate against classes of workers. I regret that you discriminate against autistic children over the age of six, but the government does. It's clear in this bill that the government is going to continue to discriminate against these workers, which is going to cause chaos for workers in a whole number of sectors who are legitimately trying to form a trade union. Whether we were discriminating against other workers by saying only those in construction could have card-based certification or whether it was the reverse, that we were saying other workers in other sectors could have access to card-based certification and construction workers can't, I fundamentally disagree with and oppose this type of discrimination. I cannot support this bill and cannot support the time allocation that we are dealing with here today.

**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: I seek unanimous consent to allow the member from Oakville a chance to engage in the debate once again on the time allocation motion.

**The Acting Speaker (Mr. Joseph N. Tascona):** Is there unanimous consent? It's agreed.

The Chair recognizes the member for Oakville.

**Mr. Flynn:** Thank you, Speaker, and thank you to the House for their indulgence.

Supporting Bill 144, to me, is supporting another wonderful initiative and one of numerous initiatives that have been put forward by this government in the area of labour legislation. When you look at some of the things we've been able to achieve in a very short time as a government, we have made many inroads to make this type of legislation something that's reasonable in the eyes of the people of Ontario.

When you look at things like minimum wage, we've seen that for the first time in nine years, a government—our government—has decided to increase the minimum wage. We did that on February 1, 2004, and we're raising it each year thereafter until it reaches \$8 per hour on February 1, 2007. That's a direct help to the most vulnerable workers in our society, those who work for the least amount of pay.

Last year, we were able to introduce what we called the family medical leave bill. We passed a law that allowed for up to eight weeks of job-protected leave for those people in our society who were unfortunate enough to be facing the loss of a loved one or a family member. There was protection that had been afforded at the federal level, but by twinning it with the provincial protection, it allowed people to spend time with their loved ones as they passed.

We also brought in legislation that brought an end to the 60-hour workweek. We limited the workweek. Now it requires a business to seek approval from the government each and every time their employees consent to work more than 48 hours a week. We had suspicions—in fact, we had evidence—that the previous law was being abused by some employers. We believe this also gives vulnerable employees the ability to choose how many hours to work in a week. We believe it's reasonable. We

believe that once it's implemented—it has been implemented—people will find it's a reasonable and it's a just law.

We also stepped up enforcement under the Employment Standards Act. Officers have been empowered now to ticket offenders. That results in much faster and much better compliance with employment standards in Ontario. We've conducted more than 2,000 inspections in less than a year. As of March 4 of this year, there were 931 orders issued, 254 tickets issued, eight summonses, and 28 charges laid. Since July 2004, there have been over 229 prosecutions commenced for violations of the Employment Standards Act. This is a vast improvement over the 18 prosecutions commenced in all—not each, but all—of the past five years preceding that.

We also understand that Ontario is a very multicultural and diverse society. The information that employees need to avail themselves of the protections that we all have under the Employment Standards Act should be available in languages that those employees can understand. We've gone out and ordered brochures printed in 21 languages. They're available in paper form. You can access them also on-line on the computer. They outline the employment rights and obligations that employees and employers have in the province of Ontario. So now those whose first language is neither English nor French are able to avail themselves of their employment rights in a very easy fashion.

We also created something very unique called the women's gateway. It's at [www.womensinfo.ca](http://www.womensinfo.ca) and it provides information on employment standards and on a variety of employment-related matters that would be of specific interest to women. That's [www.womensinfo.ca](http://www.womensinfo.ca).

We also have some major initiatives that are taking place under the Occupational Health and Safety Act. Our government has a plan that's going to reduce workplace injuries by 20%, or 60,000 per year, by 2008.

I've had the privilege and the honour of accompanying Rob Ellis on a number of his presentations when he speaks to high school students throughout the province of Ontario, and especially at this time of year when the high schools are just starting to get out and some young students are starting the very first job of their careers. Evidence has shown us that the time that you're most likely to be injured on the job is in those very few days of the very first job you have.

Working with Mr. Ellis on his presentation that is based on his own personal experience that resulted in the loss of his son has been a rewarding experience. Let me tell you that sometimes it's hard to command the attention of high school students. In this case, when Mr. Ellis speaks about the tragedy that befell his family, high school students do listen; they do understand. You can hear a pin drop in the assembly halls as he details what happened to him when he found out that his son had been injured on the job and, subsequently, about a week later, unfortunately passed away. It's a personal experience that I think Mr. Ellis is very brave to share, and I think all owe him a debt of gratitude for that.

We're also hiring over 200 new health and safety inspectors by March 2006. We've already hired 100 to date. That's going to bring the total complement of inspectors in the province of Ontario to 430. We've launched a high-risk initiative to target through extra inspections 6,000 workplaces that have the worst health and safety records. We've also implemented what we call a last chance initiative, and that gives 5,000 workplaces with subpar safety performances a chance to improve or else face intensified scrutiny by our inspectors.

Talking on Bill 144, which I think complements some of the other action that I've outlined previously, what Bill 144 does is restore some stability to the labour relations field in the province of Ontario. Any reasonable Ontarian who has an interest in these matters, whether it be from a labour perspective or from a business perspective, would think this was a reasonable step forward to ensure that the climate we have in Ontario is fair to both employees and employers. It does away with some of the wild swings we've seen over the past 14 or 15 years in the field of labour relations.

Earlier in the decade of the 1990s, we saw investment flee this province. We saw jobs flee this province. Under the previous government, unfortunately, we saw a decade of labour unrest. Some of the information we have tells us that legislation was passed to put decertification posters up in the workplace, to allow for disclosure of salaries of union officials, things that really did nothing to improve labour relations, but certainly did something to hurt the spirit of the co-operative effort we prefer to see in those types of relations.

There are two major components to the legislation that I think restore some balance. One is remedial certification; the other one is interim reinstatement.

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What remedial certification is: If a company, during the certification process, engages in an activity that, as the Minister of Labour has said, poisons the well and does not allow for the free expression of the will of the employees of a certain company, does not allow for that expression to take place, then under those very special circumstances the Ontario Labour Relations Board can issue a certification, can say that workplace is certified.

Also, what you're seeing in this bill is the introduction of interim reinstatement. If, during an organizing drive, an employee is singled out by the employer and is dismissed, the Ontario Labour Relations Board has the power to reinstate that employee during the certification process.

It also brings back what a great many people have asked for, and that is card-based certification in the construction sector. We all know the construction sector is a very unique type of industry. We know that over the years it has suffered from a number of strikes, but we also know that in recent years, they've been able to work together—the contractors and the unions—to bring some peace and stability to the industry to allow for the construction in our growth areas, both commercial and residential, to take place.



What the bill does, in summary, is to restore some long-standing and historical powers to the Ontario Labour Relations Board. It allows them to deal with both employer and union misconduct during organizing campaigns. We believe this legislation is fair. It brings back balance to labour relations. We believe that if you can get those two qualities present in an environment like that, the workplaces become much more harmonious and more productive.

I think we're finding that the Ontario economy is becoming very productive under the McGuinty government. Between April 2004 and April 2005 in Ontario, we've seen the creation of 146,000 jobs in areas such as: Toronto, 9,400; St. Catharines, 10,600; Ottawa, the Gatineau area, 17,500. We're seeing job creation throughout the entire province: eastern Ontario, southwestern Ontario, northern Ontario. We're seeing a decline in the unemployment rate. We're seeing numbers going in the right direction.

While we want to bring about a climate and an environment that's fair in labour relations, what we also want to do is ensure that we have a strong economy. We want to ensure that the labour relations we have in Ontario create the workplace stability and the economic stability we need to grow a strong and prosperous economy. You can have the best labour relations, but if you have no jobs, it certainly doesn't mean a whole lot. You can have a number of jobs, but if they're in an area where the labour relations are poor, that doesn't mean a whole lot either.

By bringing back card-based certification in the construction sector, bringing back interim reinstatement and remedial certification, which affects both unions and employers and really asks those two sides to conduct themselves accordingly, to conduct themselves according to the spirit and the letter of the law as far as organizing is concerned in Ontario, we get a much more democratic workplace.

We've treated the construction sector a little differently because we know it makes such a significant contribution to Ontario's overall economic health. We have paid particular attention to the competitive health of the industry, and that includes always looking at labour relations. Labour relations stability in construction is particularly important and needs to be treated differently, since construction generally operates on a seasonal basis and has a limited working year, a certain envelope in which to complete its tasks. A strike or a lockout during that period can cause irreparable damage if a project is delayed or not completed. It can cause a delay over the winter season, perhaps, and have the project move six or eight months behind schedule. Then other projects are delayed and the cycle continues as one is delayed.

In construction work, labour is the most important factor, and the skills of the workers engaged in that trade are most critical. In fact, a construction company in many cases only consists of a few permanent key people. They rely on their knowledge and ability to bid and be awarded projects, and also on their ability to hire the right con-

tractors at the right time and the right people for the job. So the work is generally project-based and typically occurs off-site, and that results in a highly mobile work force. The use of card-based certification really takes into account that mobility. The same tradesperson, in the course of a year, may work on many different projects, may work for different employers and may even work in different geographic zones throughout the province. The construction sector is distinctive in the way that it conducts its business, and the attempts that are made to organize that industry should be expected to be different.

Bill 144 really proposes to refine some of the rules and regulations that cover labour relations. It's designed to increase fairness and stability in the construction sector and to help ensure that one of the most important economic engines in the province of Ontario continues to run smoothly for the benefit of us all, for the benefit of employers and for the benefit of those people in Ontario who choose to be represented by a bargaining agent or unit.

What I would also like to talk about is how the construction industry has been recognized over the years as being significantly different. Our proposal to add card-based certification to that sector should be seen as a step forward. It promotes individual choice, fairness and balance for construction employees, and it recognizes the individual needs of that field. Throughout the hearings, we've heard from a number of people who came forward representing a labour perspective, a business perspective or sometimes even a religious perspective. I believe that the bill that's presented before you for third reading, Bill 144, really brings forward the types of reform that bring a balanced approach to labour relations. Our government, just like other governments over the past 40 years or so, recognizes the unique conditions of the construction industry. We also recognize that stable, fair and balanced labour relations are necessary for productivity, economic growth and prosperity in this province.

Labour relations is one of many factors that need to be looked at when you're growing a strong economy in a jurisdiction such as Ontario, and it's also one of the things that international investors look at when deciding if they're going to invest in the province of Ontario. We've certainly been able, in my own riding of Oakville, to attract significant investment from the use of the auto strategy introduced by the McGuinty government, which resulted in the saving of at least 4,000 jobs at the Ford plant. We've seen the Beacon project over in the eastern end of Toronto; in Oshawa, the GM plant is bringing in increased investment, increased opportunity for skilled workers in the province of Ontario and increased economic health. I believe the international investors in those cases were looking for labour relations stability in the province, and I think we proved that we had that.

By passing Bill 144, I think we'll be sending a signal to the world that Ontario is a good place to do business, and that's of benefit to us all. I thank you for your time.

**Mr. Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity to participate in this time allo-

cation motion debate. For those who are watching the proceedings on the parliamentary channel, I want to explain what is happening here today. This is a time allocation motion, which in effect is a motion that the Liberal government has put before the House to limit or cut off debate on Bill 144. They're doing that essentially because the Progressive Conservative Party indicated some time ago our strong opposition to certain elements of this legislation, and that we were going to oppose it with every legislative tool available to an opposition party because we felt so strongly that these changes proposed by the Liberal government were not in the best interests of the province, not in the best interests of labour relations and not in the best interests of growing the economy in the province of Ontario.

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We just heard the previous speaker talk about the economy. It is interesting that he says that this is going to help the economy in the province. That is a very stark difference in terms of the views of the people who actually are in business in the province. We saw an extensive petition drive by the Canadian Federation of Independent Business. I think all of us as members of this assembly received petition after petition after petition, expressing concerns about primarily two elements of this legislation: the return to card-based certification and the increased powers of the Ontario Labour Relations Board to impose a union on a workplace.

What impact did that sense of concern from so many business people across the province have on the Liberal government, have on this legislation? Nada. Absolutely no impact. The government ignored it. That's regrettable when we have that strong viewpoint being expressed by so many business people, so many people who will be impacted by this legislation. The government chose to completely turn a deaf ear, a blind eye, to those concerns and to the concerns of the people who appeared before the committee hearings that looked into this legislation.

My colleague the member from Waterloo, our critic for labour, Mrs. Witmer, indicated that the hearings themselves were a sham. The government members present really paid no attention and little heed to any of the presenters, who had, I think, very significant concerns to put on the record about the legislation.

I want to talk a little bit about those concerns. Under this legislation, the Ontario Labour Relations Board will now be able to arbitrarily grant union certification. They are also re-establishing a card-based certificate system for the construction sector. This will permit automatic certification of a workplace if more than 55% of the employees sign these cards.

So what does this mean? What it means is they are abolishing a secret ballot vote. That's what they're doing by replacing it with card-based certification. What they are doing is opening the door to intimidation. If you are in a workplace where there is an organizing drive underway, you no longer have the privilege of casting a ballot in secret as to whether or not you want to see that workplace organize, a private ballot so that you can express

your views, "Is it good for us to have a union or is it a bad thing?" No, you have to sign a card. You have to show your indication of where this should go.

Any clear-thinking person has to admit that that opens the door to intimidation. There is no question about it. This is back to the future and terribly, terribly unfortunate. We have experiences in the past with the Ontario Labour Relations Board arbitrarily moving in and declaring that a workplace should be certified. Again, they're restoring those powers to the OLRB, and we think there is no case to be made to justify that return to the dark ages.

One has to ask the question, why is this happening? Why is the Liberal government moving in this direction? Why have they introduced this legislation to do away with secret ballots and to restore these arbitrary powers to the Ontario Labour Relations Board?

I think there is an answer. We have to look back to the election campaign and the lead-up to the election campaign. There is an organization called Working Families, and I'm sure that you remember it, Mr. Speaker. They had billboards all over the Queen's Park Circle. They had ads in the major dailies across the province. They had radio ads, television ads, attacking the Progressive Conservative government of the day.

Well, just who was this organization? Who funded this organization? Who paid the hundreds of thousands of dollars in ads to fund this campaign? Working Families, the same organization that gave well over \$100,000 to the Liberal Party of Ontario, in addition to this attack campaign against the Progressive Conservative Party of Ontario. Essentially, it's the same construction unions that are benefiting from this legislation. That is one of the reasons why we have seen this legislation tabled in this House. It raises serious, serious questions about the integrity of the government, I believe.

But to compound this tragic lack of judgment and this mistake that's going to seriously damage labour relations in the province of Ontario, after Bill 144 was tabled in this House, received second reading and was sent to committee, guess what happened? I'll bet you can't guess, because I don't believe it has ever happened before in the history of this Legislature. The people benefiting from this legislation, the construction labour unions, held a thank you, thank you, thank you fundraiser for Premier Dalton McGuinty and his cabinet ministers.

Mr. McGuinty turned up for this—we saw the brochure: "Thank you, thank you, thank you, Dalton McGuinty"—right in the middle of public hearings on legislation that benefits this group. That's the reality. And what did they do? They handed over a \$250,000 cheque to the Liberal Party of Ontario. What a thank you. What a great big financial thank you, right in the middle of legislation, when it's at public hearings. How objective can that be? I would question the legality, let alone the morality, of that.

The members here are putting their heads down or yapping on the backbench, hoping to get into cabinet, and we'll find out how much frustration there is after the



cabinet shuffle in the next few weeks. There will be significant and extensive disappointment and frustration. Maybe then they'll have the intestinal fortitude to stand up on their feet in this place and outside of this place and say, "That is wrong. My party, the party I believe in, would not do that sort of thing. They would not have a fundraiser, a thank you of a quarter of a million dollars right in the middle of legislation being debated and considered that benefits that same group."

**Mr. Bob Delaney (Mississauga West):** On a point of order, Mr. Speaker: Standing order 23(i) prohibits members from imputing false or unavowed motives to another member.

**The Acting Speaker:** The Chair recognizes the speaker from Leeds—Grenville.

**Mr. Runciman:** That just reinforces the point I made about backbenchers trying to get into cabinet with their efforts in this House to appease the people in the Premier's office. That's a clear indication of that kind of mindset, which is truly, truly unfortunate. This is abuse of the orders of the House.

**Mr. Delaney:** On a point of order, Mr. Speaker: Standing order 23(h) prohibits the making of an allegation against another member.

**The Acting Speaker:** I haven't heard that, so I'll recognize the speaker from Leeds—Grenville.

**Mr. Runciman:** Thank you, Mr. Speaker. I'll move on.

This is a truly unfortunate, unprecedented situation, and I think it does seriously draw into question the integrity and the morality of the government with respect to the way it's dealt with these issues. The fact that this organization strongly supported them—and who knows to what tune? I would suggest it's in the neighbourhood of at least half a million dollars, when you look at the advertising efforts that were undertaken prior to the writ and during the writ period, let alone the contributions themselves to the Liberal Party of Ontario—a significant amount of money.

This seems to be a very unfortunate trademark of this government, because, as I pointed out in debate in this House last week, this government did exactly the same sort of thing with respect to transportation legislation. The limousine drivers based in Mississauga, under legislation brought in by the Minister of Transportation, are now the only people who have the right to pick up passengers at Pearson airport. If a taxicab driver in the city of Toronto drops someone off, he can no longer pick up anybody at Pearson, but a limousine coming into Toronto can pick up people in Toronto. So why did they do that? Right in the middle of that legislation, the limousine drivers had a fundraiser for the Liberal Party of Ontario and gave them a \$200,000 cheque.

Just picture this: Table the legislation—here's a cheque; table the legislation—here's a cheque. What does that yell out to you? What does that yell out to any clear-thinking Ontarian? To me, that says "payoff." That is a payoff. There's no other way to describe it.

I'd like some members to get up and explain it. Instead of reading your scripts prepared by somebody in the corner office, get up and explain why you're doing this. It's shameful, shameful conduct and each and every one of you should hang your head in shame. Get up and apologize. Stand up and have the intestinal fortitude to say this is not right, this is not party that I believe in. Stand up and do that.

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**Ms. Monique M. Smith (Nipissing):** I'm delighted to get up today and speak to Bill 144. Our government wants to restore fairness and balance to the labour relations system here in the province. I was a labour and employment relations lawyer on Bay St. for a number of years, and I'm well familiar with the labour relations legislation that our province has and has had over the last 15 years. I have to tell you that we've covered the spectrum with respect to the labour relations legislation over the last 15 years. Over a certain period of time, we swung to the left, and then of course we swung to the right, and now I feel that here with Bill 144, we are bringing it back. We're finding a balance, we're seeing fairness and balance back in our labour relations in the province, and I think that's incredibly important.

I've had the privilege of seeing Minister Bentley speak on this legislation and on a number of important pieces of legislation that we've introduced with respect to labour relations here in the province, and in particular, I had the privilege to see Minister Bentley speak in North Bay at the Canadore College avionics campus, where he spoke about occupational health and safety and the concerns around occupational health and safety to the students who were studying avionics and helicopter maintenance and engineering. It was an impressive afternoon, where Minister Bentley shared with them the concerns of this government, that our workers work in safe environments, work safely and watch out for their co-workers: again, another example of this government bringing back balance to our system and looking at fairness and balance within the labour relations context.

I have also had the privilege of hearing his parliamentary assistant, the member for Oakville, speak on numerous occasions on this bill, and he's worked very hard on it, and I think he should be commended. Certainly he has made a lot of us here in the Liberal caucus proud of the work he has done.

**Mr. Dave Levac (Brant):** Hear, hear.

**Ms. Smith:** Absolutely. I would like to speak to a couple of areas of this bill, if I might. I think the member for Nickel Belt spoke briefly about the construction sector card-based certification and her concern around it being limited to the construction sector. She also noted that she didn't understand why it was specifically to the construction sector. I would note for you that the construction sector of labour relations has had its own specific sections of the Labour Relations Act for the past 40 years. We have always recognized that the construction sector is a separate and distinct sector and has specific labour relations needs, and we have recognized

that by drafting a separate section of the legislation, specifically to address those needs in the construction sector. The bill would give unions in the construction sector the option of applying for certification on the basis of union membership. If the union had the support of more than 40% of the employees in the unit but less than 55%, the OLRB would require it to order a vote. The union would then be required to win the vote by more than 50%. This is not unreasonable, and again, it is bringing back fairness and balance to the construction sector.

With respect to the decertification information requirement, the bill would repeal section 63.1 of the Labour Relations Act, which requires employers and unionized workplaces to post and distribute information about the decertification process to employees. Some would argue that was a shift to the right that was introduced by the previous government. We're taking that away and, again, returning balance and fairness to our labour relations system.

The interim reinstatement provisions: The bill would repeal the existing section 98 of the Labour Relations Act and replace with it a provision that would expressly permit the Ontario Labour Relations Board to order the interim reinstatement of an employee dismissed or disciplined during an organization campaign, for exercising rights under the Labour Relations Act, pending the final determination of the issues. Again, an effort to bring back balance, to bring back fairness to the system, to recognize that people within an organization campaign do have the right to speak out, and do have the right to continue to work as they speak out.

As I wrap up my few minutes here on this bill, I would like to speak for just a brief moment about someone who has provided a great deal of assistance to me and who has worked very hard: my intern, Beki Scott, who today is spending her last day with me and her last day here at the Legislature.

**Mr. Levac:** No.

**Ms. Smith:** She is. Beki Scott and the entire class of interns that we've had the privilege to work with over the last term have been a great asset to this place, to the Legislature, and to all of us who had the privilege to have an intern working with us. So as I wind up today, I'd like to take this opportunity to thank them on behalf of everyone here at the Legislature, and particularly to thank Beki, who has been so great to work with. So thank you, Beki.

Again, Bill 144 is an important bill to return fairness and balance to labour relations across the province. I strongly support this piece of legislation. As a former labour and employment lawyer, I think it does return that fairness and balance. I'd like to thank you for the opportunity to speak to this bill today.

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I'm pleased to join the debate on this time allocation motion, and I would concur with many of the remarks that have been made by my colleague the member for Leeds-Grenville.

We in this party are very, very opposed to Bill 144. We are extremely concerned that it proposes to take away the democratic rights of employees to a secret ballot vote. We have certainly heard from employees who are concerned about that particular freedom. A freedom that people around this world cherish and look for is now being taken away; in other words, stripped from workers. It is a very, very important right. We have determined that we will fight this bill as vigorously and aggressively as we can, and so the government has been forced to impose this time allocation motion on us today.

When this bill was introduced in November 2004, in my response that day I immediately, on behalf of our party, denounced this particular piece of legislation. If we take a look at the bill as it was introduced, what it was doing basically was turning back the clock, as far as workers' rights were concerned, by about 15 years. It was creating a climate whereby workers were going to have fewer rights in the future than they had had in the past. It was, moreover, going to make Ontario a much less attractive destination for business investment and job growth. So we immediately made it known that we could not and we would not support this legislation.

I can tell you that subsequently the business community in the province of Ontario also came forward and loudly denounced this bill. In fact, we started to hear almost right away from businesses that were postponing making investment decisions in this province, postponing expanding their businesses, or there were some that were now considering perhaps moving their business to another jurisdiction. So I can tell you that this bill is going to have, and I know it already has had, a negative impact as far as new job creation is concerned. Certainly it is not, as the minister said when he introduced the bill, going to make this an attractive place to do business. It's having exactly the opposite impact.

In 1995, our government balanced the labour laws in the province of Ontario, and at the request of employees we gave everybody a secret ballot vote. I don't know how a government that talks about democratic renewal can strip workers of that right to a democratic vote and making that decision as to whether or not they want to certify. If this government remembers, it was our bill in 1995 that balanced labour laws, that had the opportunity to create an environment in the province of Ontario that allowed the private sector to create one-million-plus new jobs. That was the impact of our Bill 7. I can tell you, when that bill was passed, it was like a bell that was heard around the world. Finally, the walls around this province had come down. People in this province again started thinking about expanding their businesses. People outside of the province again looked at Ontario as a favourable destination, and as a result, one million new jobs were created.

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I can tell you that in 1995 this province was not a happy place to be. Under the NDP we had lost 10,000 jobs. It was a time when young people graduating from universities, colleges and high school were pessimistic



about their future. There were no new jobs being created. We now have a situation where we have the same potential to see a slowdown of growth in the economy, a slowdown of growth in job creation, because this legislation, Bill 144, introduced by the Liberal government, has had a very negative impact on the business community and its decisions around creating new jobs. That concerns us because ultimately if you kill jobs, you aren't going to have additional tax dollars that are going to allow you to have money to invest in health, education, community safety and the environment.

This bill has some long-term consequences that I believe we're going to start to see this year, next year and the year thereafter. I hope that, come 2007, we will once again have been elected by the people in this province and will be in a position to undo any damage that has been done by this bill.

When the bill was introduced, it immediately came to our attention that this was a bill that favoured one group over another. It favoured the construction unions over the rest of the unions in Ontario. We certainly recognized that this was payback to the construction unions that had supported this government during the provincial election.

As my colleague from Leeds-Grenville said, and it was brought to our attention subsequently, the unions are quite proud of the fact that this Working Families organization, and people never knew who they were, was indeed the construction unions. They poured a lot of money into the campaign to defeat the provincial Conservative government and to make sure the Liberals were elected. So this bill, by granting automatic certification only to the construction unions, is in many ways payback for that support.

If you take a look at this bill, it is also going to strip workers of their right to a secret ballot vote because it grants the Ontario Labour Relations Board the arbitrary power to grant union certification if they find an employer to be in violation of the Labour Relations Act. Instead of moving forward to modernize the democratic process to give citizens in this province a strong, independent voice, we now have a bill that takes away the most fundamental rights of workers in this province by stripping them of the secret ballot vote. It really is a step back and doesn't reflect the need for flexibility in the labour arena today.

I guess what was particularly disappointing was that despite the fact there was a lot of outrage, a lot of concern about this bill, the impact on individual employees and the possible impact on the growth of the economy in Ontario—we did hold public hearings on the bill. However, despite the tremendous, excellent, outstanding amendments that were submitted by people in this province, and which we put forward on their behalf and which the NDP put forward on behalf of others, this government sought not to include one amendment.

I would have to say the hearings were a sham. Before we go out again and have public hearings, I think there at least has to be a recognition, an acknowledgement on the part of the government, that they would be prepared in

future to consider some amendments which would make the bill better and would reflect some of the input that they were hearing. However, that simply did not happen. So we have a bill here in front of us that was opposed by workers, opposed by business. People were united in their opposition to Bill 144.

You have to recognize that this is a bill that can create potential problems for the business community, but also, you have to remember that this government has made it harder for the business community to create new jobs, because we've seen surging hydro rates and surging taxes. Of course, everybody now pays a health tax in Ontario. We've seen a Canadian dollar that has gone up. We're seeing increased global competition.

This government seems to have discounted the fact that it is important that we do everything possible to remain an attractive destination for investment and job creation. We want to make sure that our young people graduating from our schools have employment opportunities. We don't want to lose these young people to the United States.

Just this week, I heard from a young female student who's just graduated as a nurse. She said to me, "You know, Mrs. Witmer, I heard the government say they were going to create 8,000 new nursing spaces. I have to tell you, I'm looking for a job in Ontario. My friends are looking for nursing jobs in Ontario. There are no nursing jobs in Ontario. We're going to have to go to the United States."

This is regrettable, because the government hasn't created the 8,000 new nursing spaces—they have fired almost 800 nurses since January—and here are these young people who were full of optimism, thought they could get a job in Ontario, and it now turns out there is no full-time work available. They're going to move to the United States, and the concern, of course, is that they will stay there. These young people we've educated—we're going to lose those individuals.

I want to go back to this particular bill, because it you take a look at what was said about this bill—I want to quote the Financial Post writer Terence Corcoran:

"The amendments were portrayed by Mr. Bentley ... as an effort ... to promote 'stable labour relations and economic prosperity ... that would ensure fairness and choice in Ontario's workplaces.'"

"Needless to say, the actual objective is exactly the opposite. Bill 144 ... will in fact tilt the balance of Ontario labour law to favour organized labour at the expense of employers. It will not restore balance, it will remove it."

He goes on to say, "That the bill favours unions.... The biggest sop to labour is the Liberal plan to reverse parts of the previous Conservative government's important 1998 restrictions on union ability to manipulate the system" and "to force union certification on employees who do not want a union."

He talks about the fact that the OLRB is going to have this "renewed power to order union certification."

He goes on to say, "Ontario Minister Bentley has wrong-headed policies." Then he also mentions, of course, some of the other changes and some of the implications of some of those changes.

He says, "These labour reforms are being proposed despite competition from other jurisdictions. In a recent Fraser Institute study examining flexibility in labour relation laws, Ontario ranked 52nd out of the 60 US states and Canadian provinces."

He says that this bill is "simply out of step with the reality of labour relations laws across North America...."

"Flexibility is key. As market conditions change, employees must be free to shift their employment efforts and choose the amount of hours they work."

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Judith Andrew from the Canadian Federation of Independent Business worked extremely hard in opposition to this bill. In fact, I think all of us received hundreds of petitions from their members who were seriously disturbed about the elimination of the secret ballot votes. She says that secret ballots "allow employees to make their decision to support or oppose the union, free from any coercion from employers, union organizers or peers." Yet, by a stroke of the pen, employees no longer have that freedom of choice.

I think it's important to mention that the CFIB represents about 42,000 small and medium-sized businesses in the province of Ontario. That membership certainly was strongly opposed to the bill. They also recognized that this bill was favouring labour unions, neglecting the rights of the individual worker, that it was going to lead to an unbalanced workplace with no democracy and that we are going back to the archaic union-card-signing system that has proven in history to cause imbalance and unfairness. The concern, of course, remains that before long the government will drag all the sectors back to the card-based system.

I guess what we're seeing is a repeat of the Bob Rae legislation, a time when this province lost thousands of jobs due to the NDP bringing in labour changes that tilted the balance in favour of the unions, the union leaders. I hope that this government recognizes, before we vote on this bill, that they should introduce some of the amendments they were asked to. However, I would have to say to you I'm not terribly optimistic at this point that there will be any changes.

I'd just like to take a look at the last press release that we released. We had the standing committee on social policy hold public hearings. We had dozens of presentations, dozens of people opposed to the legislation. The government made no changes whatsoever. They're moving forward with the bill despite the rhetoric about democratic renewal. They refuse to listen to anyone's advice, so this bill is going to be a huge step backward. Workers are going to lose their fundamental right to a secret ballot vote. At the end of the day, this bill certainly provides a strong disincentive for future economic investment and job creation in Ontario. I can tell you that

our caucus will be strongly voting against this Orwellian piece of legislation.

**Ms. Andrea Horwath (Hamilton East):** It's my pleasure to have an opportunity to speak to two things that are happening simultaneously in the Legislature this afternoon. One, of course, is the time allocation motion that was tabled a little earlier by the government. For those people who have just tuned in, a time allocation motion means that the government is basically stifling the debate on a particular piece of legislation that they've brought forward. They are saying that because they have the majority of voices in this place, they are going to make sure that the other voices in opposition to their bill, or other voices that might have some really significant and important suggestions or recommendations or critiques of their bill or of their piece of legislation, are going to be shut down. They're going to be stifled. They are going to be, for all intents and purposes, prevented from spending the time they might need or might want to be able to bring to light, to illuminate, to show all the things that are of concern to those other people.

So the very government that talked about transparency, increasing democracy and all of these great theories once again does not walk the walk when it comes to doing what needs to be done within the framework and the structure of this place to ensure that that very democracy and transparency is brought to light. That way of doing things is not upheld, supported or, on a real, practical basis, ensured by the government. They can ensure that because of course they have the majority. They can do exactly that: make it very clear they support those principles. But they're easy when it comes to talking the talk on those principles. The problem comes when they get here and introduce things like time allocation motions, which do the opposite of what they say they want to do in regard to their legislation and their promises around transparency and democracy.

That's the first point I wanted to make, that the time allocation motion this government has brought is why we're debating two pieces at once today: The time allocation motion is the one that is before us, technically, but the time allocation motion refers to a particular piece of legislation, the one they want to shut down debate on, and that is Bill 144. The initial piece is the fact that they are shutting down debate. They've decided they no longer want anybody in this House to talk about Bill 144. They've decided it's time to stop all the discussion and to force a time when the bill must be voted on. Hence the allocation of the time for remaining debate and final voting on the bill. That time will be about 5:30. Now it is about 10 to 5, so if people want to see how the vote on the time allocation is going to shake down, that will happen at about 5:30 tonight, in about 40 minutes. That's the first point I wanted to make. I thought it was an important one so that people understand that the government has decided they don't want to hear any more of what the opposition has to say about Bill 144.

I will now move on to Bill 144. I've had the opportunity to speak to this bill a couple of times. It's unfor-



tunate there haven't been many changes the government has chosen to make on Bill 144. If I recall, the minister introduced that bill around November of last year. I don't recall the exact date, but I'm sure it was around November of last year, because it wasn't more than a few months after that—maybe four or five months—that I attended an event in Hamilton, the Hamilton-Brantford Building Trades Council's annual meeting. Their concern was, "The minister introduced the bill. Where the heck is it? We haven't heard hide nor hair of it since the moment he introduced it."

In fact, it finally did get to second reading stage and we've done some debate on it, but at that time I said to the building trades in my community, who are very hard-working people and who have done a lot of hard work in building our cities, our public infrastructure, our factories and our institutions—these tradespeople have done a lot of great work over the years. They certainly have some issues around how their labour, their contribution and their ability to get the justice they need in the workplace has been dealt with over time by various governments. They have some legitimate concerns about that.

They were quite adamant when they spoke to me about their desire to see this bill go forward. I was very honest with them at that time, and I'm still of the same opinion today, that I don't have a problem with many parts of the bill. I was very clear with them at that time, and we agreed to disagree on it, although even they agreed with me on the principle of card certification and the fact that card certification should not be allowed only for a certain segment of the labour movement and that all workers should have the opportunity to sign cards that indicate they want to be represented by a trade union in their workplace and that, by virtue of the majority of workers signing those cards, that would establish for them a trade union that would represent them in the workplace.

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I can say to you that it's not a far-flung concept, it's not something that somehow is coming out of the sky; this was the law in Ontario for decades. This was the law since 1950. This is not something new. This not something that the previous speaker would have you believe, which is somehow that this one piece of legislation has meant investment or non-investment, jobs or no jobs. If it was the way that they're talking about it, you would think that we would have no jobs in Ontario whatsoever ever, and that we wouldn't even have an Ontario, because there would be no investment whatsoever, nobody would have any jobs and the economy simply wouldn't exist because nobody would be able to set up shop in the province of Ontario. If that was the case, nobody would have set up shop in the province of Ontario for the last 50 years. I can just wash that away immediately.

In fact, even in the speech that was given by the critic—I believe she's the critic for the opposition—she acknowledged—although she blamed the previous NDP government for somehow losing jobs for Ontario. Of course, I wasn't here when all that happened, but I was

living in the province and I was watching what happened to the economy. Like everybody else who is honest around this chamber knows, it had much more to do with economic cycles than anything else.

If the economic cycle is upon us again, well, I have some real serious concerns. Cities particularly are going to be in trouble, because this government hasn't dealt with some of the real problems facing cities, particularly around the issue of downloading of social services and what happens to cities if they are responsible for social services during an economic downturn. I dread the thought. That is a bit of an aside.

The argument that, by having this card certification process, somehow the sky is going to fall when it comes to investment, when it comes to people locating businesses, when it comes to people actually investing in the province of Ontario, is simply bunk, and we all know it is bunk.

What we don't know, and what I haven't been able to figure out, is why the McGuinty Liberal government favours following in the footsteps of Mike Harris's labour legislation as opposed to all of the other Premiers before him, going back some 50 years. I don't get that. I just don't understand why this government would choose to table legislation that doesn't totally go back to exactly the fair system, the appropriate system, the non-discriminatory system, that would allow any workers who wanted to join a union to simply sign the card, count them up, file them and, lo and behold, if the majority of workers want to have a union representing them in the workplace, they would get that. I don't understand why the McGuinty Liberals have decided that they want to be more like Mike Harris and the Tories, the very government that the people of Ontario so resoundingly sent packing in the last provincial election, the last general election. I really have no idea why they would choose to do that.

It's quite a disturbing situation, because I really get the sense that the McGuinty government just doesn't get it when it comes to who it is that would be well served by a card certification system and who it is that is being hurt, quite frankly, who it is that is being ignored, whose rights are being trampled on, by this particular bill leaving them out. That is my concern.

Again, I have no problem with the card certification system. It's a great system. It's a system that worked in this province for a very long time. It's a system that existed under every single government that we've had for the last 50 years: I mean Conservative, I mean Liberal, and I mean New Democrat—unfortunately, not the Harris government, but that was quite an anomaly when it comes to the way this province was ruined over that time frame, but nonetheless.

What I have to say is that these people who would benefit most from a card certification system are largely the people whom we would want to ensure have every opportunity to have their rights taken care of, their rights fought for, their rights enforced in the workplace. Because it's often some of the worst workplaces in the

province that result in the need, the desire, the wish, the movement of workers to collectively join together to have their rights enforced, because their workplaces have been places where, individually, they are having a difficult time enforcing their rights. So if they work together, perhaps they can get their rights enforced in the workplace, perhaps their quality of life in the workplace will be improved, perhaps instead of getting minimum wage they might be able to bargain collectively for a little bit more than that so that they can actually feed their families. Maybe they have problems in terms of health and safety in the workplace. Maybe their workplaces are exposing them to deadly chemicals. Maybe their workplaces have unsafe equipment or improper ventilation. So maybe by joining the union, by working together collectively, they can force a health and safety committee to be put in place—even though they should be anyway but oftentimes are not put in place and certainly are not effective unless the force of that collective voice is behind them.

I represent Hamilton East. We have some of the most difficult workplaces in which to work. We have steel mills, we have small manufacturing plants—and some of them are great employers. I certainly don't want to say that all employers are bad. That's not the truth. That's not the case. But you'll know very well that where there's a desire to address problems, it's where the employer has not figured out that his or her best asset is their employees.

This is why the card certification process is important. Those very workplaces where oftentimes workers are treated badly are the places that would benefit from a trade union and in fact are those same workplaces where the possibility of divide-and-conquer tactics, the possibility that the employer might intimidate the workers to decide to sign the card one day when they're working together and when they're talking to each other about their concerns and their issues and their goals and their desires and the things they want to achieve, not just for themselves but for the entire set of workers in that particular workplace—but when they're doing that and they sign their cards and they're talking about how they're going to move forward in the workplace, the date gets set for the ballot, the way the system is now. And what happens in between? What happens in between is the very thing that card certification prevents, and that is the intimidation factor.

Again, if workers are already being treated badly in the workplace or if they already have serious concerns about their health and safety or if they're already not obtaining the kind of quality of life and standard of living through benefits or through the work environment generally and they seek to have representation by a union to help them gain those rights, oftentimes those very workers are vulnerable to intimidation by the employer. That's the bottom line. That's the rub—that time frame in between when the possibility of intimidation of workers can take place that may change the vote from the

certification when they sign their card to the time when they vote on the ballot.

I've got to tell you something else. There's another group of workers who are particularly vulnerable in this scheme that currently exists, that the Harris government put in, that this government is only prepared to get rid of for one small sector of workers—the trades sector—and that is workers who are immigrants, workers who are refugees, workers for whom English is not their first language. A lot of time and a lot of care is taken in the process of getting workers to consider whether or not they are interested in signing a union card. That time has taken sometimes one on one, sometimes in small groups, often with interpreters, often with unionists from that culture or from that background or from that home country. A lot of time is taken to describe the process, to understand the rights, to deal with what kinds of things the union can do collectively for and with the workers in that workplace.

#### 1700

The problem becomes, those workers will sign their card and they will be very much in favour of having the unions represent them, but then during that time when there's a possibility that employers can intimidate the workers in a particular workplace, that's when you see the big flaw in this government legislation.

During the initial times of this debate, during the second reading debate and some of the third reading debate, some people were saying, and quite rightfully so, that this bill is discriminatory and that it discriminates against some of the most vulnerable workers. But I don't know how much time people actually took to explain what that means. I've just taken that time because I think it's important. The very people who are often relegated, particularly when they first come to Canada, particularly when they first come to Ontario—those are the very people who will benefit most from the protection of their rights, having a trade union representing their interests. Those are the very people whom this government, again, talks the talk about, when they talk about immigration and when they talk about the value of immigrants to our community and to our economy, and when they talk about how they need to make sure that immigrants have their skills recognized when they come to live in Ontario. But it's not true. The government says that, but when they table legislation like Bill 144, they forget all about the immigrants, they forget all about their commitment, they forget all about their talk. And when the time comes to walk their darn walk, they don't do the right thing by those very people they pander to during elections, pretending with their announcements about how much they care about these people. If they really cared about them, if the McGuinty Liberals really gave a darn, they'd be making sure that they table legislation in this House that addresses some of the plight that immigrants have when they come here and work in our factories without the ability to organize and to be protected by the force of a collective agreement.



So I have to say that I'm very, very disappointed that after all of the debate and after all of the discussion, and the fact that they're going to be closing us down any second now, the government has refused to acknowledge that their bill is flawed and that they really did have an opportunity to do the right thing by all workers in Ontario and not to begrudge the tradespeople, not to begrudge all the other good parts of the bill that we, as New Democrats, support. We simply cannot knowingly turn our backs on the very vulnerable workers who need the protection of Bill 144, who need the right of card certification in the workplace right here, right now in the province of Ontario. Those are my comments. Thank you very much.

**Mr. John R. Baird (Nepean–Carleton):** My constituents in Nepean–Carleton will not support this heavy-handed motion, not only to take away debate on Bill 144 but also to take away the secret ballot rights of voters. People in Nepean–Carleton, who I am privileged to represent, say no to David “The Hammer” Caplan’s motion.

**The Acting Speaker:** Further debate? No.

Mr. Caplan has moved government motion number 411.

Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it. Carried.

**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: I seek unanimous consent to move a notice of motion—to move a notice without notice regarding standing order 9(a).

**Mr. Baird:** On a point of order, Mr. Speaker.

**The Acting Speaker:** Just give us a moment here.

**Mr. Baird:** Can we have a five-minute recess to let the government get its act together?

**The Acting Speaker:** From my information here, the unanimous consent is to move a motion without notice regarding this afternoon’s sitting. Is that your motion?

**Hon. Mr. Caplan:** Yes.

**The Acting Speaker:** Is there unanimous consent? Agreed.

**Hon. Mr. Caplan:** I move that, notwithstanding standing order 9(a), the House may continue to meet past 6 p.m. today for the purpose of considering Bill 186 and Bill 136.

**The Acting Speaker:** Is there unanimous consent? Agreed.

**Hon. Mr. Caplan:** On a point of order, Mr. Speaker: I seek unanimous consent to revert to introduction of bills for the purpose of introducing two government bills.

**The Acting Speaker:** Is there unanimous consent? Agreed.

## INTRODUCTION OF BILLS

### ELECTION AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT LA LOI ÉLECTORALE

Mr. Caplan, on behalf of Mr. Bryant, moved first reading of the following bill:

Bill 213, An Act to amend the Election Act, 2005 /  
Projet de loi 213, Loi modifiant la Loi électorale.

**The Acting Speaker (Mr. Joseph N. Tascona):** Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it. Carried.

**The Acting Speaker:** Does the member have a short statement?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** No, Speaker.

### ELECTION STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Caplan, on behalf of Mr. Bryant, moved first reading of the following bill:

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.

**The Acting Speaker (Mr. Joseph N. Tascona):** Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it. Carried.

**The Acting Speaker:** Does the member have a short statement?

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** No, that’s fine, Speaker.

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## ORDERS OF THE DAY (continued)

### PLACES TO GROW ACT, 2005

#### LOI DE 2005 SUR LES ZONES DE CROISSANCE

Resuming the debate adjourned on June 6, 2005, on the motion for third reading of Bill 136, An Act

respecting the establishment of growth plan areas and growth plans / *Projet de loi 136, Loi sur l'établissement de zones de croissance planifiée et de plans de croissance.*

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate. The Chair recognizes the member from Erie-Lincoln.

*Applause.*

**Mr. Tim Hudak (Erie-Lincoln):** Well, I'll stop now. Thank you, Mr. Speaker, and my colleagues all. How very kind. Now I'll have to scrap the original tone of my speech and be nice.

*Interjection.*

**Mr. Hudak:** My colleague opposite asks me to speak about 406. I have to give credit to my friend there from Niagara Centre. He had a good line just a moment ago. He told the Minister of Transportation they're going to call it Highway 203, because they're doing only half of what should be done. I gave full credit to Niagara Centre, as he deserved, for that line.

We're pleased to see Highway 203 moving forward, the 4.8 kilometres or whatever it was they announced. We hope they will continue four-laning to East Main Street in Welland and extending to Port Colborne. We were pleased to see the progress on Highway 203 this afternoon. I'm pleased the minister was down there for the announcement. I wish I had been on the invite list. I think my name must have slipped off the invitation list. I'm sure it was not the minister; it was probably somebody in the communications office.

*Interjection.*

**Mr. Hudak:** My staff was there, I know. We had our spies who had ferreted this out, and they got there to hand out press releases. But we are pleased to see Highway 203, half of 406, moving forward.

The concerns we have with Bill 136 remain. We brought forward some very thoughtful amendments to the bill at committee that unfortunately were not adopted by the minister or the members of that committee. If they had been, you may have seen us voting in favour of Bill 136, but unfortunately, you shot them down.

We could have made the bill a very solid bill as a result, but there are still fatal flaws: for example, giving the Minister of Public Infrastructure Renewal too much authority to intervene in local plans. No disrespect to the capabilities of the minister himself, but we have seen a very unfortunate trend in the Dalton McGuinty government of consolidating considerable power in the hands of the ministers themselves and in the hands of cabinet. It began with the Minister of Municipal Affairs and Housing under Bill 26 and also under Bill 135, as well as some other reforms they've brought forward to give the minister authority to interfere with the OMB, to declare a provincial interest without any kind of notice or clarity as to why the intervention took place.

So the question is: Can you always trust the minister? Can you trust, particularly, a minister of the Dalton McGuinty government to make the right decision? We have no choice but to say no, based on the evidence available.

Nothing personal to the Minister of Public Infrastructure Renewal; there's just been a pattern established by the government members that shows—we don't believe they can be trusted to make the right kinds of decisions, with their penchant for overriding municipal authority, particularly on Planning Act issues.

I have to say to the Minister of Public Infrastructure Renewal as well that we are still hoping that we will see, one day, greater clarity in terms of what the five-year infrastructure plan actually is. We've heard there's a list of 103 hospital projects, but we're not sure exactly what those hospital projects are: which ones are public-private partnerships, which hospitals will be rebuilt, which ones will be expanded, which ones will simply have some renovations done to them. We wonder if there truly is a real plan.

The same thing goes for highways or transit systems. We would expect a five-year plan with details of the investments in each and every one of those areas. The growth plan as a whole reminds us of—if you remember that movie with Kevin Costner—*Waterworld*. It had a big budget; it had a star and some name recognition behind it. There was a whole lot of hype and expectation built up around *Waterworld*, and the trailers looked pretty good. When you heard a lot about it, you said, "I might want to go see this to see what's in it." But when *Waterworld* came out, it wasn't such a hot show after all. In fact, it tanked at the box office.

*Interjection.*

**Mr. Hudak:** Well, it may be a classic like Plan 9 from Outer Space, but not the classic kind I think they expected it to be.

I'm sensing a growing disappointment that after a lot of talk of a major investment in infrastructure, after a lot of talk about public-private partnerships and changing the way we do things, there is some growing disappointment with a lack—I know the minister brought a detailed, visionary plan to cabinet—that's what I expected of him—but when it got to the cabinet table, it got watered down. The original script, like *Waterworld*, got watered down, and what came out at the end of the day was in many ways very disappointing compared to the buildup beforehand.

**Mr. Dave Levac (Brant):** Like Star Wars.

**Mr. Hudak:** You know, the original Star Wars was pretty good, just like the original Smart Growth strategy that began under Premier Harris and under Chris Hodgson. So to use a Star Wars analogy, the first stuff was pretty good, and then a few years later they came back with a model that was not nearly as entertaining. So we see in Places to Grow, while it was based on similar principles as Smart Growth, similar themes as the original Star Wars movies—the fourth Star Wars movie was a significant disappointment, and we'll say the same thing in terms of what was in the plan that came out, ReNew Ontario. For example, the \$30-billion plan really contains a lot of re-announcements, projects that had already been announced by the government, dressed up as something new or exciting. Most of it is very routine stuff that was



already announced by that government, already announced by our government. I think it includes the local share in hospital funding, for example. So it's not truly a \$30-billion provincial investment, but includes local giving to hospital projects. As well, they're counting in money given from the federal government toward infrastructure projects or municipal partners. So truly not a \$30-billion—

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** No, not including municipal.

**Mr. Hudak:** It doesn't include municipal, he says—but not truly a \$30-billion provincial announcement.

I think there are a number of people who were initially excited about the hype of this project and this program who are disappointed that only a \$2-billion sum is for public-private partnerships. I think they have changed the name, because Dalton McGuinty at one time campaigned against 3Ps. He wanted the Premier at the time, Ernie Eves, to stop every 3P, every public-private partnership in the province, but now they embrace them. They say somehow it's different, so I guess they changed the order of the Ps. So now instead of 3Ps, it's P3s. I think to stakeholders out there it sounds like a lot of the same stuff, but when you play these kinds of games with words, when you say one thing before the election and you do something else, investors are going to wonder: When is a deal a deal when it comes to the Dalton McGuinty government? Let me give you a few examples.

One of the first things they did in office, they said they were going to scrap the 3P hospitals in Brampton and Ottawa. They didn't agree with these; they wanted to get rid of them. Well, what did they do? They actually tinkered with it, wrapped a red ribbon around it, called it their own and proceeded with the projects. Fair enough. We were happy to see those new hospitals go forward, and I'm pleased. I know Tony Clement in Brampton is very happy. I know my colleagues in Ottawa are very happy with these announcements, but then it should have been much more direct and straightforward that they were going to go ahead with the 3P hospitals. When you say one thing and do another, that creates uncertainty in the private sector and from those investors.

We also had MRI and CT clinics that we brought in. They were private clinics paid for through OHIP. So you had private sector investment and management, by all accounts doing a very good job in terms of the quality of service, reducing the waiting lists, and the Dalton McGuinty government went in there and used taxpayer dollars to buy them back. So nobody benefited from additional MRIs, nobody benefited from additional CT scans, nobody benefited from better health care; they simply changed the ownership model but used scarce health care dollars to do so, again creating uncertainty.

My colleague the Minister of Transportation has used, from what I have read, taxpayer dollars to attack a private sector company in Spain. Now, maybe they're not happy with part of the 407. They have their arguments with the 407. But to actually take a campaign, a political campaign, and to wage it in Spain, to use taxpayer dollars to

attack a company doing a public offering in Spain goes beyond the pale. And you wonder what kind of signal that sends to European or American or other Canadian investors that want to make a deal with the government when they are attacking a partner that is doing a public offering in a foreign country. It's questionable, the tactics. I believe, as a result of those examples, and others, that they have created an Ontario premium, that the government of Ontario will have to pay a higher rate of return to private sector investors as a result of that uncertainty. If you are reaching out on one hand to the private sector for a partnership, but you are bashing them with a closed fist on the other, that is going to cause the private sector partners not to invest in the province at all or to charge a higher premium to compensate for that uncertainty. And I do worry about that. I do worry about the long-term impact that the uncertainty causes.

1720

The other big issue that I will address—and it has to do with the Minister of Public Infrastructure Renewal, but more so the Minister of Transportation—is whatever happened to the GTTA? This was a big initiative to break gridlock. It was going to be bold and visionary. I know the Speaker is concerned about what I have to say about gridlock and the GTTA. It was announced, reannounced, and in a story and a column and a story and a column. It was a long time coming, with a lot of talk about it. No progress. No progress at all on the GTTA. It has disappeared. This mighty vision to create a transportation authority to invest in and to coordinate transit seems to have disappeared into the ether, which means the problem with gridlock is just going to be exacerbated and will just get worse.

There are other projects that we think are good projects we'd like to see. Of course, as the member for Erie—Lincoln, I would like to see funding going toward the water and sewer project in Lincoln. I met with some taxpayers from Sydenham who have similar concerns about the bill being attached to them.

Of course, if the government were truly committed to investing in roads—because you need a balanced approach between transit investment and investments in roads and bridges and highways—then we would actually have seen progress on the mid-peninsula corridor. I'm happy to see some funds going toward the 406—not as much as we would like to see on the opposition side, but some progress—but if they were truly committed to the mid-peninsula corridor, instead of seeing more studies and reissuing studies that were done as far back as 2001, we would have seen some bold decisions made moving forward on that project. But I fear, instead, the intention to hide behind study after study after study and not actually making any decision whatsoever on that project. So when election time in 2007 comes around again, that project will be no further ahead, not one foot of blacktop laid and traffic problems and congestion will get worse, and the investments that may have come for trade and tourism will have not taken place.

So we have continuing concerns about the bill. We regret that the amendments we brought forward were not adopted by the government, and we are seeing what individuals and journalists are increasingly saying: When it comes to an actual infrastructure investment plan, there is no meat in the sandwich. To use that old 1980s axiom—I hate to quote Walter Mondale, but I think he used it—“Where’s the beef?” I say to the minister, where’s the beef? Where are the projects? Where is the investment plan? Where is the vision? I think that’s missing, and I think this is nothing really but a cover story for investments that will never actually really take place.

**The Acting Speaker:** Questions and comments? The Chair recognizes the member from Nepean–Carleton.

**Mr. John R. Baird (Nepean–Carleton):** The member for Erie–Lincoln has given a very strong indictment of this bill and has convinced me to vote against it.

**The Acting Speaker:** Any further questions and comments? Any reply?

**Mr. Hudak:** I appreciate the comments from my colleague, particularly the helpful comments from Nepean–Carleton. I’m glad that I convinced him, and I hope the momentum will continue and we’ll win some votes over there as well against Bill 136. Maybe the colleague will take his seat and vote for it, which will signal a change and bring back those amendments we had brought forward.

**The Acting Speaker:** Any further debate? Any reply?

Mr. Caplan has moved third reading of Bill 136, An Act respecting the establishment of growth plan areas and growth plans. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Call in the members; there will be a 30-minute bell.

The Chair has received a note from the deputy whip: “Pursuant to standing order 28(h), I request that the vote on the motion by Minister Caplan for third reading of Bill 136, Places to Grow Act, be deferred until deferred votes on Monday, June 13, 2005.” So ordered.

## REGIONAL MUNICIPALITY OF PEEL ACT, 2005

## LOI DE 2005 SUR LA MUNICIPALITÉ RÉGIONALE DE PEEL

Resuming the debate adjourned on May 31, 2005, on the motion for third reading of Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

**The Acting Speaker (Mr. Joseph N. Tascona):** Further debate? The Chair recognizes the member for Oak Ridges.

*Applause.*

**Mr. Frank Klees (Oak Ridges):** I want to thank all members for that applause, especially the Minister of Transportation, for whom I did some incredibly important preliminary work. I just am looking forward to him finally building on that foundation that I established for him in that ministry.

I’m going to take this opportunity, while the Minister of Transportation is here, to appeal to him on behalf of York region. I put this issue to him in a question about a week ago, and it relates to phase 2 of York region’s transit project. We, of course, had committed, as you know, \$50 million, and I credited the minister in my question to him with following through on that commitment that our government had made. The federal government made their contribution of \$50 million as well. Now that project is well underway, and it’s important that York region get confirmation of the government’s commitment to phase 2.

During the question, as, of course, is the minister’s wont, I received mere equivocation, although in a personal conversation thereafter—and I won’t betray a confidence here—the minister certainly gave me every indication that he believes in this project very much, that he believes that his initial \$50-million investment was a wise one, and that he would certainly be supporting phase 2.

So following my remarks, if the minister is still here, there is an opportunity for comments, and I would look forward, actually—and I know that you will welcome it too, Speaker—to hear from the minister and make his commitment, his absolute commitment to funding phase 2 of York region’s transit project here today. I would be happy to commend him and, in fact, put out a press release thanking the minister for that commitment that he may make. So I will look forward to that.

But the bill that is before us today for debate is a piece of legislation around which there is a great deal of controversy. It’s not an easy one, and I know it’s not an easy one for some of the government members. In fact, I was in the Legislature when the member for Bramalea–Gore–Malton–Springdale stood in his place and made a statement for which, frankly, I respect him highly.

I refer to Hansard of May 3, when the member said the following: “I want to start by thanking the people of Bramalea–Gore–Malton–Springdale. I’m proud to represent them at Queen’s Park,” and so the member should be, as we all are, to represent our constituents.

But the member goes on to say the following, and for this, I respect him. He said, “My riding has a part of Mississauga and a part of Brampton. I have held two public meetings, one in Bramalea and one in Malton. The people of my riding have told me, and I have listened to them,” and this is where the real test comes for members of this place. It’s one thing to listen; then it’s another thing to act. The member not only listened, but he heard and then he chose to act because he went on to say this:

“They have spoken their minds, they have spoken from their guts and they have spoken their hearts to me. They have told me that Bill 186 is not fair to the people



of Bramalea–Gore–Malton–Springdale. It does not really represent them. What they are looking for is fairness in representation in the Peel region, from Brampton as well as Mississauga. The people of Bramalea–Gore–Malton–Springdale have told me that I represent them fully, and I'm accountable to them." The member goes on to say, "If this bill goes through, this will not give fair representation to Brampton, as well as to Bramalea–Gore–Malton–Springdale. I definitely want to listen to the people of my riding." Then he said this, and congratulations to the member for saying this, "I am committing myself to vote against Bill 186."

1730

I ask members of the Legislature to give the member a hand for that stand of courage he took.

*Applause.*

**Mr. Klees:** You see, honourable colleague, that there wasn't rousing applause from members of the government benches.

**Mr. Dave Levac (Brant):** He already got it.

**Mr. Klees:** The chief government whip said he already got it. I can well imagine what he already got. I am sure it wasn't a round of applause from members of his own caucus. But I know the member's constituents will appreciate that.

We have taken the position in this caucus that what this bill needed was considerably more consultation, that we needed to hear from residents who are going to be affected by this. We needed much more input from those councillors who have the business and the responsibility of representing the constituents who live in this area that is going to be affected by this bill, the region of Peel. To our great disappointment, we were not able to secure the degree of consultation that we were looking for, that we were appealing for, that I know the member for Bramalea–Gore–Malton–Springdale also would have preferred to have. Another member who is caught in this incredible bind, of course, is the member from Brampton Centre. She is not here right now but—

**Mr. Brad Duguid (Scarborough Centre):** She is.

**Mr. Klees:** Oh, she is. There she is. My apologies to the member. I note she was just in conversation with the chief government whip. I trust that the chief government whip was being kind and that there wasn't too much arm-twisting going on there. I know the chief government whip is an honourable person and he would also allow the member to vote freely on this issue. I have no way of presuming how the member from Brampton Centre is going to vote on this, but I believe her constituents will be able to count on her to vote according to what would be right for members in her riding. I have no doubt she has the integrity to do exactly that. It's a difficult circumstance to be in. Nevertheless, that's what we are elected to do, to make the difficult decisions.

With regard to this legislation, I will be voting against it. The reason is that I have listened very carefully. It's not in my riding. Obviously, if it related to York region, then I would have a personal basis on which to make my decision. I've listened very carefully to the two members

who are in the middle of this debate and who have taken this very strong and principled stand. I want to support them in the final vote on this bill. I trust that other members from the Progressive Conservative caucus will also stand with them. It's not a matter of simply being against the legislation for the sake of opposing it; I don't believe that's right. There should always be good, strong reasoning and principles behind our decisions.

In this particular case, I believe there are. This legislation needed much more consultation and time for us to really deliberate and ensure we had it right. I look forward to the opportunity to take my stand with the member from Bramalea–Gore–Malton–Springdale and the member from Brampton Centre. In the final analysis—who knows what time will bring ultimately—we trust the right thing will be done for the residents of Peel region.

**The Acting Speaker:** Questions and comments?

**Hon. Harinder S. Takhar (Minister of Transportation):** I want to speak a little bit about Bill 186, and I also want to address some of the issues my colleague raised on the other side.

I want to go on record to say that Bill 186 creates fairness, equity and an even playing field. It also takes the population base into consideration. The member on the other side talked about the York region transportation project. I want to assure the member on the other side that we think it's a great project, and we are going to work with the region of York to support this project. Sometimes what happens in this House is that when we are talking about Bill 186, they want to talk about York region, and when we are talking about Bill 144, they want to talk about Bill 169.

There were some comments made by my colleague the member from Leeds–Grenville earlier today. I want to correct some of the statements he made. With regard to Bill 169, I want to say that this is an important piece of legislation to protect passengers and travelers in this province. We are not looking to replace the current municipal licence regime at all. It changes nothing.

The other is that he made some allegation that we did some fundraising. We did great fundraising in Peel region. There were 1,000 people who attended. There were less than 10 people from the taxi industry. He always makes not very factual statements, and this is not the first time he has done it. A couple of weeks ago he talked to me about the RV licensing system, a system that has been in place for 25 years; in fact was put in place by the previous Conservative government. He tried to tell us that we did that.

I think what we should do in this House is focus the discussion on the bill we're talking about and not talk about anything else, but the Conservative members always want to vent their anger or display their derision.

**Mr. John R. Baird (Nepean–Carleton):** I wasn't going to stand up and make any comments, but I'm inspired by my good friend the Minister of Transportation.

**Mr. Peter Kormos (Niagara Centre):** Of Highway 203.

**Mr. Baird:** Of Highway 203, the member for Niagara Centre says.

I thought the member for Oak Ridges gave a good speech about the process of the bill. I think it says a lot about the member for Oak Ridges, that when he rose to speak, he got applause, for those of you watching this on television, from all sides of the House. I think that speaks to the admiration in which this member is held by all members of the House.

I will be voting against this bill. I totally disagree with the process and the one-offs this Premier has made. This is just another example of a broken promise by Dalton McGuinty. He promised one thing before an election and another thing after the election. Take this issue: Not only did he promise one thing before the election and deliver another thing after the election, but he promised a lot of things after the election and didn't keep any of his promises. We used to get dizzy looking from his election platform and election promises to his legislation; now we get dizzy on just about every comment the man makes.

1740

**Mr. Michael Prue (Beaches–East York):** It was not my intent to comment on this, because I didn't know that was what we were going to be doing tonight, but I really have to pass some comment on the member from Oak Ridges. He spoke from the heart and he spoke some very real truths. He talked about what the process was here and he did say something about the members from Bramalea–Gore–Malton–Springdale and Brampton Centre being here today, and I'm proud that they're here today. I have been in this House every single time that this bill has come up, waiting for them to be given an opportunity to speak for 20 minutes about what is happening in their municipality and in their constituency and to talk about how the people they represent feel. With the exception of one two-minute response, I don't believe that I have heard anything from them. I don't blame them at all. I think that what has happened here is that they have been closed right in by their caucus. They have been told not to speak about this. They have been told that it'll go away.

But I have to tell you, with the greatest of respect, this is not going away in Brampton; this is not going away in Caledon. The people in those communities are incensed by what is going on. They are incensed by this government. They feel betrayed because this government and the Premier who is in charge told them that nothing was going to happen around this bill, and where are we? We're at third reading in a matter of weeks.

This bill is an atrocious bill. It is not going to do anything that it was supposed to do. It's being rammed through. In the end, all that it is going to succeed in doing is something you say that you don't want. If you went to the committee hearings, you heard what the mayor and the people who were with the mayor said, that this is a precursor to separation. That's all they want this bill for. You're playing right into their hands. You are going to destroy one of the finest regional governments in Ontario.

**The Acting Speaker:** Further questions and comments? Seeing none, the Chair recognizes the member from Oak Ridges in reply.

**Mr. Klees:** I want to thank members who have commented. The Minister of Transportation went to the brink, but failed to make his commitment to York region. We're going to have to just keep putting on the pressure for that project.

I want to just wrap up my comments, again, by reaffirming that I will be voting against this bill for the reasons that I stated during the debate.

Also, in the course of this debate I received a bulletin from my constituency office, from my constituency assistant, Neave Greig, who advised me that she is a golfing partner of Ken Mossop, who is a cousin, I believe, to the member from Stoney Creek. I had the pleasure of meeting him, a fine gentleman. I just want to say that if the member from Stoney Creek has anything of a handicap like her cousin Ken, then I would want to be at least in her foursome. If we don't share political philosophies and positions, then perhaps we can at least enjoy a round of golf together.

**The Acting Speaker:** Further debate?

**Mr. Prue:** On the last occasion when I was speaking to this bill, and I don't know how I didn't get an opportunity to—

**The Acting Speaker:** The member has already spoken on the bill at this stage. We need unanimous consent for the member to finish off his lead. Is there unanimous consent? It's agreed.

**Mr. Prue:** I thank all of the members, but I have to tell you, I'm a little surprised. On the last occasion—

*Applause.*

**Mr. Prue:** I'm glad to have so many friends and so many fans. I feel almost like a hockey star—and maybe I am in Brampton and Caledon.

On the last occasion, I was in mid-leadoff, and what I had talked about on that occasion, I'd just like to—

**Mr. Kormos:** You were in mid-rant.

**Mr. Prue:** Yes, mid-rant. I was speaking on that occasion about what had happened. I likened what had happened to the two solitudes that have become so famous in Canada—how we now have two solitudes in the region of Peel. We have one side which is made up of Mayor McCallion and the people who follow her lead, and we have on the other side those who believe that the mayors of Brampton and of Caledon and the regional chair are correct in what they have to say. We have a government that has played into the hands of what can only be described as a secessionist movement.

I have to tell you, I was really quite surprised.

I think all of you should turn around and have a look and a discussion with the member from Scarborough Centre, because he was there when we had a discussion with all of the people who came out to talk about this bill.

We went first to Brampton. Then we left Brampton in the afternoon and went to Mississauga. We listened to a number of speakers speak about this bill. We heard them say what was good about the bill and we heard them say



what was bad about the bill. But I want to tell you, there were two solitudes. There was the Brampton-Caledon group in the morning, and then, with one exception, there was the Mississauga group in the afternoon.

In the morning, we heard the people from Brampton-Caledon, who talked about how this was going to very much hurt their community. We heard them talk about the fact that theirs is one of the most rapidly growing communities in Ontario and in Canada. We heard them talk about the regional government that worked for them. We heard Emil Kolb, who has been my friend for many years, from when I was a mayor. We heard him talk about how the region of Peel has won awards. We heard him talk about how the region of Peel should be sustained and should be built upon and should grow. We heard him say that what was happening was only going to hurt the regional municipality of Peel. We heard all of those things in the morning.

In the afternoon, we went to Mississauga. What did we hear from Mississauga? Well, I have to tell you, I was somewhat disappointed at the discussions, save and except one discussion in the afternoon that we heard from Mississauga. We heard from the mayor, we heard from the chamber of commerce, we heard from a youth group, we heard from various citizens' and ratepayers' groups, who all said the same thing. To a person, they said the same thing: that they welcomed this government bill, not because they thought that having two extra people was going to do a great deal for Mississauga, but because they all saw it as the precursor to secession. The mayor said that she still wants to break away, and now you are going to make it easier for her to break away. Then the board of trade said, "We want to break away. Thank you very much for this bill, because you are going to make it easier for us to break away." We heard from a youth group who said the same thing. Then we heard from ordinary citizens' and ratepayers' groups. With the exception of the one lone man from Mississauga who came at the end—and I hope to speak about him later—all of them spoke about the need to destroy, break up, get rid of the region of Peel.

What has the region of Peel done that is so wrong that this government wants to destroy it? I don't know. I don't think you know. This is a region that continues to win award after award after award for municipal government. This is a region that has worked for 30 or 40 years. This is a region that has done a very good job for the citizens who live there. What is the great fault of this region? I don't think it has anything to do with the region. The great fault, the problem with this, is that one municipality, Mississauga, has the majority of citizens contained within its borders. That's the only fault. That is the only fault of that regional government. No other regional government anywhere in Ontario has the majority of members on that regional government from one municipality, but this government over here is bound and determined that you're going to let that happen. You're going to do it because you want to see Peel destroyed. You will be successful, whether it takes a week or a year or two years

or five years. Because what you are doing is playing precisely into the hands of those people in Mississauga who no longer want to be part of the region of Peel.

1750

**Mr. Mike Colle (Eglinton-Lawrence):** Name names.

**Mr. Prue:** I will name names. The mayor has said so. It's right on the record. Had you been there, Mr. Colle, you would have heard that, because she said it. They all said it.

**Mr. Colle:** You said she was a great mayor the other day.

**Mr. Prue:** She's a good mayor, but she still wants to separate, and I can't agree with her on that, even though you can, even though all of you can, and it is a huge, huge mistake.

I am telling you, I am appalled with the decision that has been made by this government and the way you have rammed this through. First of all, you went out and you said you weren't going to do anything and the Premier wrote letters and assuaged all the fears: "We're not going to do anything."

And then—I don't know what happened—you went out and you got Justice Adams and you said, "Justice Adams, we're going to listen to him." Justice Adams issued a report, and his report told you not to do what you're doing. You took a look at this report and said, "We're not doing this. He's made nine recommendations. We're only going to follow one of those recommendations, which is to give Mississauga two extra seats." You didn't follow the ones saying give Brampton five, and the other ones were all rendered totally moot, because what you have done is made it impossible for that region to continue to exist. I don't know why you are doing it. I am flummoxed. I don't know why you are doing it.

There was one brave guy from Mississauga who had the temerity, the guts, the unmitigated gall to stand up against all of you. I was surprised to find out a little bit of his background. His name is Stephen Wahl, and he's a Liberal. In fact, he ran for the nomination of your party in the last election in Mississauga South. He didn't win. You nominated someone else, the member from Mississauga South, Mr. Peterson, who won and then he won the election. But this is a card-carrying, dedicated Liberal. He has written letter after letter after letter that none of you are even willing to answer.

I have here the great answer from the member for Scarborough Centre, at least from his staff, when Mr. Wahl wrote him the last letter on May 10. This is the kind of answer that Mr. Wahl gets from the parliamentary assistant:

"Good afternoon, Mr. Wahl. On behalf of Brad Duguid, this is to acknowledge receipt of your e-mail. I have forwarded your e-mail to Brad, and he is considering your concerns. Shall I obtain any form of feedback, I will notify you. Thank you for taking the time to share your concerns."

That is what Mr. Wahl gets from your party, and he is a member, and he was almost a candidate and almost in

this House. That's his answer. That's what he gets. This is the guy who showed up to tell you how wrong your bill was.

He wrote you a letter, and I only want to read some of it, because I think some of it is not parliamentary. This is the letter that he wrote to Premier McGuinty, Minister Sorbara and Minister Gerretsen dated June 1, 2005:

"I write to you as a citizen and as a Liberal living in Mississauga in the region of Peel in the province of Ontario."

I have to skip the next paragraph because it's not parliamentary. He goes on to say:

"As I have stated in previous correspondence with you, I am very much involved in a wide range of community activities in Mississauga, as well as my involvement with several Liberal riding associations. I have heard rumours and hard facts regarding some of the behind-the-scenes manoeuvring and deals, tentative, assumed or otherwise, regarding Bill 186. What I am hearing gives me cause for alarm.

"There are a few ways that we can extricate ourselves from making the mistake of passing Bill 186. You could simply delay indefinitely third reading. You could let cabinet and caucus know that they are free to vote how they see fit without repercussions from the party. You could encourage undecided and uninformed Liberal members to be absent from the House at the time of the vote on third reading. You could send the Liberal members of Mississauga, who are under undue influence to comply with the wishes of the mayor of Mississauga, out on other tasks at the time of the vote on third reading. Much of this could be done by encouraging the government House leader not to defer the vote on third reading during an evening session of the Legislature, when many members have reason not to be in the House.

"Stephen Wahl

"Citizen of Mississauga

"Liberal in Mississauga"

This is what people in your own party are telling you. I don't know why you are doing what you are doing. No one understands why you are doing it. I have to tell you, it pains my heart. I have been in this House, in this legislative session, for nearly two years now. I watched in awe and in dismay and in consternation the people of Kawartha Lakes. Mike Colle, the member from Eglinton-Lawrence, called it the city of great mistakes. That's what you called it. You coined the phrase "Kawartha Mistakes." You know how bad it is. You know your own party, when in opposition and in the leadup to the election, said, "We will honour your vote. If you don't want this abomination of a city, which we agree doesn't work, and you vote no, we will undo it."

What has happened? I watch in awe and dismay the minister stand up day after day when he is questioned by me, "What are you doing about democracy? What are you doing when the people have said this doesn't work and they want to go back?" All I hear is, "We're not going to go there. We're not going to listen to the people. We're not going to listen to what anybody has to say.

We're going to do what we damn well want to." I hope that is OK, parliamentary. You are going to do exactly what you want to do, and I am so disappointed you are doing that to those people. I am going up there on Saturday to talk to them again about how bad your government is around democratic issues, how you ought not to be believed on reform of democracy, the fundamental democracy of this province, when you have ordinary people who go out and exercise their vote and you choose not to acknowledge it.

**Mr. Colle:** It was close.

**Mr. Prue:** I don't care whether it was close or by one vote. If you won by one vote in this Legislature and you beat your candidate by one vote, I would say you are the member. It doesn't matter whether they won by one vote or 20 votes or 100 or 1,000; they won. You will not acknowledge ordinary democracy from those people, and it is a disgrace.

I ought not to be surprised. You will not honour the democracy of the people of Brampton and Caledon. You will not listen to their mayors. You will not listen to their councils. You will not listen to the people who are involved there. You have an ear fixed to one person. I love Hazel. We love Hazel. She is a smart woman. She is a powerful woman. But on this particular issue—I have told her right to her face and I will tell her through the medium of television and in the Hansard—she is wrong. You should have the guts to tell her she is wrong on this issue. You should not be doing what you are doing to the people of Peel. You should not be putting at risk this great regional government, and that is in fact what you are doing.

I am disappointed. Have you done this to anyone else? No. Would you do this to anyone else? No. In fact, Minister Gerretsen wrote to the people in Fort Erie who were asking to do exactly the same thing that Hazel McCallion is asking to do in Mississauga—i.e. to break up their regional government—and do you know what his answer was? "We don't do that. Our government is not going to do that for the people of Fort Erie. We don't agree with this. This is not part of our plan."

I do not understand. If it's not part of your plan in Fort Erie, if it's not part of the plan down there, I don't understand why it is part of the plan simply because Hazel McCallion tells you to do it. The two members who are here tonight, and the third member from the Brampton area, have a very tough row to hoe. I don't know how it will be possible for them in the next election, as Liberals, to walk down the street and say, "Vote for me and vote for our party because we are in tune with what you want," because everybody knows, in spite of how strong you have been on this issue, that you have not been allowed to speak. You have not been allowed to say what needs to be said. You have not been allowed an opportunity to get up in this House. You have been bulldozed by all the other members of the Liberal Party. I have to tell you—I will be very blunt to you—that it will be very difficult for you to win re-election, not



because you are bad members but because your party has done you in.

If I were a Liberal in those places, I would despair. I would despair that a party that I thought was going to bring democracy and honour and change things in Ontario ends up being just as bad, or even worse, than Mike Harris.

There's nothing else I have to say on this issue. Thank you very much for the opportunity of speaking.

1800

**The Acting Speaker:** Questions and comments?

**Mrs. Linda Jeffrey (Brampton Centre):** This is probably my last chance to talk about Bill 186, and I wanted to wrap up what I have said before on this bill.

The one day of hearings that we had on Bill 186, on May 6, was very hurriedly put together. I want to say here today in this House how proud I was of my residents who appeared that day. They brought forward some very thoughtful presentations, with an extremely limited time to put forward a position. They were passionate; they were articulate; they did me proud. I was proud to hear their articulation of some frustration that they had in such a professional way to the members who were there listening. There were 11 people who delegated in Brampton that morning. Of that 11, nine of them were from Brampton and two of them were from Caledon, most of them with very little presentation time—knowledge that it was even going to happen.

What I would like to do is quote someone who appeared that day. There were so many wonderful presentations that day that were thoughtful and articulate. People had obviously spent a significant period of time putting together their thoughts.

Michael Collins, who's a realtor in town, said:

"For the past 30-plus years, we have watched Mississauga grow into the world-class city that it is today. All the while, residents of both Brampton and Caledon have contributed their tax dollars to the region to help develop the infrastructure that Mississauga enjoys. The mayor of Mississauga is correct in the fact that Mississauga has two thirds of the residents of Peel. We know this because we have watched our tax dollars go to build her city for the past 30 years.

"Now that her city is complete, the mayor would like to break up the region, exactly when the focus is shifting to Brampton. By all estimates, we will experience rapid growth too. In fact, in 2009, it is expected that Brampton will have a population approaching that of Mississauga....

"So, at the very least, Bill 186 should be amended to provide a formula for Brampton's increasing population. For each incremental increase in the population, Brampton would automatically add those extra regional seats in time for the next municipal election. That way it would not be left to the province to pass new legislation each time Brampton deserves a new seat at the region. Justice Adams, in his report, recognized this need and tried to provide for it."

There's nothing I can add to that. I'm sorry about this legislation. I appreciate the thoughtful, passionate presen-

tations that my residents gave. They did us proud. I appreciate the time they took to come to speak on this issue.

*Applause.*

**Mr. Baird:** I would say to the member for Beaches–East York: good speech. I would say to the member from Brampton Centre: even a better response. There are not enough members with the passion she expressed.

**The Acting Speaker:** Reply from the member from Beaches–East York.

**Mr. Prue:** I thank very much my colleagues who have commented on the speech. I'm trying to calm down a little because I was really getting quite riled thinking about what you're doing.

What you are doing is pretty sad. It's pretty sad. I think you ought to stop and think very long and hard about what you are doing. Other governments in the past have done things that have not helped municipal governments. This is not going to help the regional municipality of Peel. I fail to understand how you can ignore Judge Adams's report. I fail to understand how you can ignore all of the people who came to speak during that day. I fail to understand how you can ignore the three members who represent the ridings in Brampton.

Quite honestly, I have to ask that you stop and reconsider this. Mr. Wahl gave you five outs. Take a look at them. One of them is simply to withdraw this. One is simply to have a vote and then just not show up to vote for it.

I'm asking the members opposite to do the right thing. Just think about what the right thing is. Do you think in your heart of hearts that you are doing the right thing by the half a million people who live in Brampton–Caledon? If you think you're doing the right thing by them, then go ahead and vote for it, but if you do so, you will do it to the detriment of the three members who were elected in the Liberal Party in the last election. I cannot imagine that the good electors of Brampton and Caledon are going to forgive the action you are taking here today. It is a wrong-headed action. Please reconsider. It's a last opportunity; do it.

**The Acting Speaker:** Any further debate?

**Mr. Baird:** I am so impressed by the response made by the member for Beaches–East York. If there was unanimous consent that we could postpone and have further third reading debate and then a vote on this in the fall, after a summer of wise reflection, and intimidation from some—I would ask if there's unanimous consent to hold off further debate of third reading and to have a vote on this, perhaps in October or November.

**The Acting Speaker:** Is there unanimous consent? Seeing none, further debate? Reply by the minister? No.

Mr. Gerretsen has moved third reading of Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Call in the members.. There will be a 30-minute bell.

I've received from the deputy whip: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Gerretsen for third reading of Bill 186, the Regional Municipality of Peel Act, 2005, be deferred until deferred votes, Monday, June 13, 2005."

The Chair recognizes the deputy House leader.

**Hon. David Caplan (Minister of Public Infrastructure Renewal):** I move adjournment of the House.

**The Acting Speaker:** The deputy House leader has moved adjournment of the House. Is there unanimous consent? Carried.

This House stands adjourned until 1:30 p.m. on Monday, June 13.

*The House adjourned at 1807.*



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**Monday 13 June 2005**

**Lundi 13 juin 2005**



**Speaker**  
Honourable Alvin Curling

**Président**  
L'honorable Alvin Curling

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 June 2005

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman (Oxford):** In October 2003, our provincial PC government was pleased to announce and deliver \$20 million under the 3B program for farmers affected by the BSE crisis. This money went directly to over 6,800 livestock producers throughout Ontario. This money was to help farmers recover a bare minimum of costs to help keep their family farms up and running.

Last week, however, I was shocked when I began to hear from farmers throughout my riding and throughout Ontario who received a letter from Agricorp telling them that the Liberal government of the day is required to recover this funding from all farmers who are not enrolled in the CAIS program. Jim Roberts is a beef and sheep producer from Gilford. His family received \$2,000 in 2003, and now, in 2005, is being asked by the Liberal government to return this money, simply because he isn't enrolled in another government aid program, the CAIS program.

Farmers who received the money in 2003 were never told of this requirement and certainly did not expect today's Liberal government to turn the collection agent on to our own Ontario livestock farmers.

On page 29 of the Liberal 2005 budget, we noticed a 23.1% budget cut to the Ministry of Agriculture and Food. Minister Peters, on the other hand, has been continually telling us that there is no cut and that the real money spent balances out. Now we know where the differences will come from: directly from our farmers.

In 2003, the PC government was working hard to help our farmers affected by the BSE crisis. In 2005, the Liberal government is reaching back into the affected farmers' pockets and taking their money back to apply it to their current budget. Minister, you can't take 2003 money back and use it for 2005 expenses; it's simply not fair.

What are these farmers going to do now? The Liberal government should immediately apologize to the farmers and tell them they made a mistake, and that they will be able to keep this much-needed money.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 juin 2005

RON CHRISTIE

**Mr. Brad Duguid (Scarborough Centre):** I rise today to pay tribute to a man who over the course of four decades has made an invaluable contribution to our province's environment, most recently here in the GTA. The gentleman I'm referring to is Mr. Ron Christie.

On Friday, June 17 of this year, a special luncheon is being held in his honour celebrating his 10 years as chair of the Rouge Park Alliance. Ron was the founding chair of the alliance, serving from April 1995 until January 2005, although he has been involved with the planning of the park since the early 1990s.

Ron Christie began his public service in 1961 with the Ministry of Natural Resources, after obtaining his master's degree in zoology from the University of Western Ontario. Until he retired from the ministry in 1993, Ron held a variety of different posts, including assistant deputy minister for southern Ontario.

Ron's activities on behalf of the environment were not restricted solely to the provincial scene; he also served as a member of the federal Green Space Stewardship Advisory Committee.

I've known Ron Christie for many years, but I've had the opportunity over the last year or so to work more closely with him as a member of the Rouge Park Alliance.

Through the efforts of Ron Christie, the park continues to flourish and grow. As Ron Christie leaves as chair of the Rouge Park Alliance, let us thank him for his contribution to the preservation of the Rouge and acknowledge that our children and our children's children will appreciate his legacy for many generations to come.

#### SOUTH CARLETON LEGION

**Mr. John R. Baird (Nepean–Carleton):** I rise today to report a great tragedy that took place in my riding of Nepean–Carleton.

Yesterday afternoon, a \$1-million fire gutted the Manotick Legion, and that has had a huge effect on the community I'm privileged to represent. There was smoke coming out of the basement, so all the members quickly escaped, and no one was injured. Deputy Fire Chief Gord Mills said that firefighters had some early success knocking down the fire from inside the building, but flames spread to the walls and to the loft upstairs.

Thankfully, much of the memorabilia at the Legion from our fighting men and women in the past was saved when the fire was put out around 6 o'clock.

The official name of the Legion is South Carleton branch 314 of the Royal Canadian Legion. This Legion has an extraordinary record in honouring the sacrifices of our fighting men and women who have made a huge difference to democracy and preserving the way of life we currently enjoy; it is also a real centre of the community where numerous events for seniors and other public projects are participated in.

"There was a lot of memorabilia in that legion; that's the hardest part," reported one of the legion members. Many legionnaires were concerned about how much of the medals, souvenirs, plaques, photos and other memorabilia would be saved. Fortunately, many of these memorabilia were saved.

A special thank you to all of the firefighters, many of whom were volunteers, who did an extraordinary job in saving what could have been a much more substantial cost in life and limb.

#### UNIVERSITY OF WESTERN ONTARIO

**Ms. Andrea Horwath (Hamilton East):** This week the University of Western Ontario is recognizing two individuals who have been pivotal in advancing the rights of Canadian women: Doris Anderson and Dr. Henry Morgentaler, both recipients of honorary degrees from Western.

Author, actor and advocate Doris Anderson pioneered the Canadian media's coverage of women's struggles for equality. As editor of *Chatelaine* from 1957 to 1977, Doris commissioned articles on such hard-hitting topics as divorce, abortion, battered children and violence against women. Doris consistently broke new ground, and others followed her lead. Her body of work earned her a Companion medal of the Order of Canada and a lifetime achievement award from the Canadian Journalism Foundation.

Dr. Henry Morgentaler, like Doris, is an outspoken supporter of women's reproductive rights. Dr. Morgentaler devoted decades fighting for changes to Canada's Criminal Code that would guarantee in law women's rights to choose.

He established Montreal's first clinic for women in 1968 and worked with the feminist movement to demand safe, timely access to abortion services until the law was changed. Similarly, he campaigned province by province to ensure that medicare covered the service in every province, a struggle that continues to this day.

Congratulations to these two new Western university graduates, and to Maude Barlow, the other honouree.

In profiling its commitment to women's rights, the University of Western Ontario has gained three outstanding new alumni who were pivotal in advancing the rights of Canadian women.

#### COUNCIL ON FOREST SECTOR COMPETITIVENESS

**Mr. Michael Gravelle (Thunder Bay-Superior North):** Earlier today, Natural Resources Minister David

Ramsay released the final report of the Council on Forest Sector Competitiveness, which he set up in November 2004 to develop recommendations on the best way to strengthen and diversify Ontario's forest-based economy. Concurrent with its release, the minister announced a number of measures to take force immediately, including the provision of \$350 million in loan guarantees to stimulate investment in the industry. The minister also committed to review the report and respond with a clear action plan in the very near future.

First of all, I want to thank Minister Ramsay for recognizing that the forest industry in our province is in crisis and that the survival of this economic giant in Ontario requires an immediate response from our government. I also want to thank the members of the minister's council for their hard work and very clear direction as to what is needed to overcome the diverse problems confronting the industry.

#### 1340

Certainly, as the provincial representative for a riding that contains several of the mills and operations that are struggling to remain viable, I am incredibly conscious of the need for strong government support at both the federal and provincial levels, particularly if we are to remain focused on avoiding closures of the most vulnerable operations in the northwest. Personally, I am strongly supportive of many of the recommendations put forward by the minister's council, particularly the need for an independent review of existing forest inventory so that we can all come to terms with the wood supply issues confronting the industry.

Having said that, all the issues dealt with in the council's report require a speedy response, and I call on the minister today to move quickly to take the action needed, in conjunction with industry and labour, to keep our forest sector competitive today and in the future.

#### COLLISION REPAIR INDUSTRY

**Mr. Frank Klees (Oak Ridges):** On June 1, over 700 individuals from across Ontario who work in the collision repair industry gathered for a one-day symposium to highlight the state of their industry. The organizer of the symposium, Rosanna Armata, is to be commended for such an outstanding event and for the daily efforts she puts forward in attempting to forge a trade association dedicated to the collision repair industry.

I would also like to acknowledge the individual who has worked tirelessly on this issue and who first brought it to my attention in 1998. Mr. Julius Suraski is the industry's strongest advocate, and I look forward to seeing his new venture, a magazine entitled *Car Care Professionals*, come off the presses next week.

Representatives from all aspects of the collision repair industry came together on June 1. They were represented by members of the Collision Industry Action Group, the Collision Industry Standards Council of Ontario and the Automobile Repair Regulatory Council. They came to discuss the lack of regulation of this industry, despite the



passage of the Collision Repair Standards Act in December 2002.

This is a mature, thoughtful and responsible industry, and the time has come to either implement the Collision Repair Standards Act or to do something in its place. I urge the Minister of Consumer and Business Services to move forward on this file. If there are changes to be made to the bill, talk to the industry, and let's get on with it in the interest of consumer safety and industry stability. The collision repair industry and the consumers of Ontario have waited too long. It's time for action.

#### ANTI-SMOKING LEGISLATION

**Mr. Dave Levac (Brant):** I rise to remind this House of the passage of Bill 164, a good piece of legislation that brings the toughest anti-smoking legislation in North America. But it isn't just me standing here saying that the McGuinty government is doing a good job; others are saying it too.

My local newspaper, the Brantford Expositor, says, "We have to congratulate the government of Premier Dalton McGuinty." The editorial points out that all the arguments against are about money, not health, and they specifically try to educate one of the members who voted against this legislation, the member from Erie-Lincoln. Here is what the Expositor said to Mr. Hudak after he said, "I don't think this government accounted for the loss in money at the casinos as a result of this bill."

"We have some numbers for Mr. Hudak:

"—16,000 Ontarians are killed by illnesses related to cigarette smoking each year....

"—Cigarette smoking causes 30% of cancers in Canada and 85% of lung cancers....

"—The province's economy loses \$2.7 billion annually in productivity due to smoking.

"—Smoking costs the Ontario health care system \$1.6 billion each year.

"—Lung cancer kills an estimated 300 non-smokers each year because of second-hand smoke."

And here's the topper:

"We find those numbers a lot more convincing than anything Hudak can come up with."

The Expositor is right: The legislation is about the health of Ontarians. I hope that that member and six others who voted against the legislation will read the editorial from the Expositor, take their advice, and join with the vast majority in this House and the vast majority of Ontarians for a healthier Ontario.

#### LEADER OF THE OPPOSITION

**Mr. Mike Colle (Eglinton-Lawrence):** Today, John Tory and the Conservatives have hit a new all-time low in Ontario politics. First it was the Harper Conservatives and the doctored, secret Grewal tapes; now it's the Tory Conservatives snooping and stalking people and their

families. The man who said he wanted to raise the level of debate in the Legislature has sunk to a new low.

Mr. Tory directed staff, at taxpayers' expense, to literally stalk at least one cabinet minister. Mr. Tory has directed staff to violate people's privacy. This is Nixon-style, sleazy politics at its worst. John Tory fired his researchers and hired plumbers to spy on cabinet ministers. It's shocking and it's wrong, and it leads to many questions.

How many other cabinet ministers and MPPs has John Tory ordered his peeping Tories to stalk and follow? And how far are they willing to go? Are they following ministers home? Are they following their family members? Have they bugged their offices or their houses or their cars? How long has this been going on? And what Ontarians really want to know: How low are the John Tory Conservatives willing to go in their desperation?

John Tory owes Minister Takhar and his family an apology, and he owes an apology to every other cabinet minister he has ordered his peeping Tories to stalk and follow.

#### GOVERNMENT'S RECORD

**Mr. John Wilkinson (Perth-Middlesex):** I'm proud to stand up today to talk about some of the many great achievements of my government. We've been very busy, as you know, working hard to make sure that Ontario's families see the results of our government's initiatives.

In education, students are starting to see smaller classes for better learning, and we've seen the kind of respect, peace and stability in schools that has been sadly missing for far too long.

In health care, we've negotiated a four-year deal with doctors. That means we can all focus on working together for better health care for Ontarians. We are aggressively taking steps to reduce wait times for important surgeries like cataract and cardiac procedures and hip replacements. We're making progress.

The preservation of Ontario's environment is also a main concern of this government. That's why we introduced and passed Bill 133, to tackle industrial polluters in Ontario. Now in Ontario, if you spill, you pay. We've protected 1.8 million acres of green space for future generations of Ontarians. To help clean up the air we breathe, we've closed the Lakeview coal-fired plant. That's like taking 500,000 cars off the roads.

After a decade of Tory fiscal mismanagement, our economy has seen a positive shift in the right direction. Since taking office, there have been 178,000 net new jobs in Ontario.

I'm proud of what our government has been able to accomplish this session, and I look forward to continuing my work on behalf of this government, a government that is truly dedicated, not to spending their time being the peeping Tories in Ontario; our government is about getting the people's business done right here in this Legislature.

## LEGISLATIVE PAGES

**The Speaker (Hon. Alvin Curling):** I know that today is a day that you have been looking forward to, but there are some individuals here in the Parliament who are not too happy. It's the last day for the pages, and they have served us so well. They asked me to pass on to you that they said the decorum of the House has improved. Because they were present in that time, they want to commend you for your wonderful behaviour and for the decorum in the House.

Although we are sad to see them go, we know that they will represent us very well. They will go out to their respective schools and speak about the wonderful Parliament of Ontario. Let us thank them very much for their service.

*Applause.*

**Mr. Peter Kormos (Niagara Centre):** On a point of order, Mr. Speaker:—

**The Speaker:** And there must be a point of order from the member from Niagara Centre.

**Mr. Kormos:** I ask for unanimous consent for a motion directing that these pages receive their full week's stipend, notwithstanding that they're only here today.

*Interjections.*

**The Speaker:** The member from Niagara Centre has asked for unanimous consent that we give them their full stipend for the week. But I presume there must be a motion that comes forward on this. First you ask for unanimous consent that you move that motion, and then I'm sure that you have the motion all prepared for us.

**Mr. Kormos:** During motions.

**The Speaker:** OK. Thank you.

1350

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
ESTIMATES

**Ms. Andrea Horwath (Hamilton East):** Pursuant to standing orders 59(a) and 60(a), I beg leave to present a report from the standing committee on estimates on the estimates selected and not selected by the standing committee for consideration.

**The Clerk-at-the-Table (Mr. Todd Decker):** Ms. Horwath, from the standing committee on estimates, presents the committee's report as follows:

Pursuant to standing order 59—

**Interjection:** Dispense.

**The Speaker (Hon. Alvin Curling):** Dispense? Therefore, pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

## INTRODUCTION OF BILLS

GREENBELT STATUTE LAW  
AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT DES LOIS  
EN CE QUI A TRAIT  
À LA CEINTURE DE VERDURE

Mr. Hudak moved first reading of the following bill:

Bill 215, An Act to amend the Greenbelt Act, 2005 and the Municipal Act, 2001 / Projet de loi 215, Loi modifiant la Loi de 2005 sur la ceinture de verdure et la Loi de 2001 sur les municipalités.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr. Hudak?

**Mr. Tim Hudak (Erie—Lincoln):** This act, if passed, would require the Greenbelt Council, recently appointed, to report back to the Minister of Municipal Affairs and Housing in four important areas: first, an environmental appeal mechanism for land inside or outside the greenbelt; second, a formula to support greenbelt municipalities; third, a support plan for agricultural operators within the greenbelt; and fourth, a capital plan to support the success of the greenbelt.

APPRENTICESHIP AND CERTIFICATION  
AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT LA LOI SUR  
L'APPRENTISSAGE ET LA  
RECONNAISSANCE PROFESSIONNELLE

Ms. Scott moved first reading of the following bill:

Bill 216, An Act to amend the Apprenticeship and Certification Act, 1998 / Projet de loi 216, Loi modifiant la Loi de 1998 sur l'apprentissage et la reconnaissance professionnelle.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Ms. Scott?

**Ms. Laurie Scott (Haliburton—Victoria—Brook):** The bill amends the Apprenticeship and Certification Act, 1998. A committee is established, to be known as the fuel industry technician advisory committee, for the group of trades or occupations consisting of the activities for which a person is required to have a certificate under regulation 215/01, made under the Technical Standards and Safety Act, 2000, in order to carry out these activities.

Mr. Speaker, I seek unanimous consent for a second and third reading votes on the bill that has been introduced.

**The Speaker:** Ms. Scott has requested unanimous consent to move second and third readings. Do we have unanimous consent? Agreed.



## APPRENTICESHIP AND CERTIFICATION AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

Ms. Scott moved second reading of the following bill:

Bill 216, An Act to amend the Apprenticeship and Certification Act, 1998 / Projet de loi 216, Loi modifiant la Loi de 1998 sur l'apprentissage et la reconnaissance professionnelle.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

## APPRENTICESHIP AND CERTIFICATION AMENDMENT ACT, 2005

### LOI DE 2005 MODIFIANT LA LOI SUR L'APPRENTISSAGE ET LA RECONNAISSANCE PROFESSIONNELLE

Ms. Scott moved third reading of the following bill:

Bill 216, An Act to amend the Apprenticeship and Certification Act, 1998 / Projet de loi 216, Loi modifiant la Loi de 1998 sur l'apprentissage et la reconnaissance professionnelle.

**The Speaker (Hon. Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## MOTIONS

### LEGISLATIVE PAGES

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I believe we have unanimous consent for the member from Niagara Centre to place a motion without further debate with respect to pages.

**The Speaker (Hon. Alvin Curling):** We have unanimous consent, but I will ask: Do we have unanimous consent? Agreed.

**Mr. Peter Kormos (Niagara Centre):** I move that this House recommends that the pages receive their full week's stipend for the week commencing June 13, 2005.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### PARTY STATUS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** Speaking of stipends, I believe I have unanimous consent to move a motion without notice regarding NDP party status.

**The Speaker (Hon. Alvin Curling):** The government House leader requests unanimous consent to move a motion without notice. Agreed? Agreed.

**Hon. Mr. Duncan:** I move that, notwithstanding standing order 2, the New Democratic Party caucus be afforded the status of recognized party in respect of all procedural and administrative matters, pending the outcome of an eventual by-election in the riding of Toronto-Danforth, at which time the terms of the standing order shall apply.

**The Speaker:** Mr. Duncan moves that notwithstanding standing order 2, the New Democratic Party caucus be afforded—

**Interjection:** Dispense.

**The Speaker:** Dispense?

Any debate? Seeing none, is it the pleasure of the House that the motion carry? Carried.

## REFERRAL OF BILLS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I believe I have unanimous consent to move a motion without notice regarding discharging of private members' bills.

**The Speaker (Hon. Alvin Curling):** The government has requested unanimous consent to move a motion. Do we have unanimous consent? Agreed.

**Hon. Mr. Duncan:** I move that the orders of the House referring the following bills to the following committees be discharged, and that the bills be ordered referred to the standing committee on regulations and private bills:

In the standing committee on estimates, Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit;

In the standing committee on finance and economic affairs, Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public;

In the standing committee on general government, Bill 7, An Act to authorize a group of manufacturers of Ontario wines to sell Vintners Quality Alliance wines; Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fundraising activities of legitimate charities and non-profit organizations; Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act; and

That pursuant to standing order 72(a), the orders for second reading of Bill 101, An Act to amend the Health Insurance Act, and Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences, be discharged and the bills be referred to the standing committee on regulations and private bills.

**The Speaker:** Mr. Duncan has moved that the orders of—

**Interjection:** Dispense.

**The Speaker:** Dispense? Dispensed. Is it the pleasure of the House that the motion carry? Carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### OPSEU AGREEMENT

#### ENTENTE AVEC LE SEFPO

**Hon. Gerry Phillips (Chair of the Management Board of Cabinet):** I rise today in the House to inform members and the public that the McGuinty government is delivering on its commitment to rebuild Ontario's public services. I'm proud to say that we have reached an historic, tentative four-year collective agreement with the Ontario Public Service Employees Union. At the heart of this agreement is a mutual interest by OPSEU and the government to rebuild Ontario's public services.

We are a new government with a new approach to collective bargaining, and this approach has paid off.

The Premier, on election night, said to our public servants, "I value your work and I look forward to working with you so we can provide still better services to our public."

Today I say to our public servants that we remain more committed than ever to rebuilding public services, and we look forward to continuing this work to deliver the best possible public services to the people of Ontario.

From day one, this has been our goal, and we have made great strides. We have funded thousands of new full-time nursing positions. We've announced new family health teams to ensure communities have access to medical professionals. We've made the single largest investment in post-secondary education in 40 years. We've hired 1,300 more teachers to reduce class sizes. We've converted over 500 consultant positions to full-time OPS staff. We've hired 33 new water inspectors to protect Ontario's drinking water. We've hired back 121 meat inspectors into the public service, as recommended by the Haines report into food safety. We have hired 100 new workplace safety and enforcement staff to protect our workers, with 100 more coming in the next year.

Our tentative agreement with OPSEU is another significant step.

We inherited a damaged relationship. Thanks to open lines of communication, we are building a strong partnership with our employees to deliver better public services to the people of Ontario.

In its negotiations, the government must ensure it deals with the bargaining agents who represent our employees with fairness and with respect. We must also be responsible and accountable with the public's money so as to deliver quality public services in the most efficient way. This agreement allows us to do both.

Collective bargaining is a tough process. There are long days, difficult decisions, and nights when bargaining continues until the sun rises. But this collective bargaining process is a process that I'm proud to say we are committed to.

We took a new, more constructive approach to bargaining, I must say, on both sides. We agreed to engage a mediator to assist our negotiations in an innovative way. This has not been done before in previous rounds of collective bargaining with OPSEU. Throughout the process, the lines of communication were open and, for the first time, negotiations did not have to go down to the wire for an agreement to be reached.

I said from the outset that the government's goal was to negotiate an agreement that was fair to our employees and fair to the public. Our employees deliver important services. They ensure our water is clean, our meat is safe and our communities are cared for. This four-year tentative deal will bring stability and confidence to our workforce, and, as a result, our communities will be safer and stronger.

No matter the responsibilities of our employees, they all provide important services to the public. It is work to be proud of.

In closing, it is all about delivering the best public services to the people of Ontario. This agreement will help us achieve that goal.

**The Speaker (Hon. Alvin Curling):** Responses?

**Mr. John Yakubuski (Renfrew-Nipissing-Pembroke):**

It's my pleasure to respond today to the statement by the Chair of Management Board.

At first blush, most people would agree that it's a good thing not to be having a public service strike. There's no one in the province of Ontario who wants to see those vital services interrupted, particularly through the summer. But then we have to look a little deeper into it and see the motivation of this government. Last summer was known as the summer of their discontent. They received a very poor reception throughout the province last summer, post-all of their broken promises and their horrendous budget of last May.

The Premier decided, "Look, I want a quiet summer; I want a little down time; I don't want to be dealing with an OPSEU strike in the summer of 2005," so a tentative deal was reached on the weekend.

But we do have some questions, and the taxpayers have questions about this deal. Are we continuing to pay more under this government—

*Interjections.*

**The Speaker:** Order. The member gave you considerable attention when the statement was made by the Chair of Management Board. Then he asks that the same respect be given to him when responding to that statement. I would ask your co-operation.

**Mr. Yakubuski:** Taxpayers are asking the question, are we paying more while we continue to get less from this government? Because since they were elected, we are seeing no improvement in services but we are seeing the costs of those services go up. Taxpayers have a right to know what they're getting for the money that the government is collecting from them.

This deal, through the term of it, will cost the taxpayers over \$1 billion, and they've a right to know, "What are we getting for this deal?" They're asking the



question, "Are we getting an improvement in the Attorney General's office after a \$5-million increase in wages and salaries in the executive offices of the Ministry of the Attorney General? What are we getting for a \$534,000 increase in salaries and wages in the main office of the Ministry of Health?" Taxpayers know that the government has only one source of revenue, and that is them. Businesses will be asking themselves this question. If the cost of operating the government goes up, so does the cost of doing business in the province of Ontario. How will this impact the decisions that are made by businesses in the province of Ontario with regard to, "Are we going to establish there or are we going to remain in the province of Ontario while other jurisdictions are seeing their costs and taxes go down?"

This government has decided to buy labour peace at a cost to the taxpayers of Ontario. The question will remain, can they absorb it or will it be too much as the terms of this agreement unfold and as time goes by?

**Mr. Peter Kormos (Niagara Centre):** On behalf of New Democrats, I want to commend Leah Casselman and OPSEU, the Ontario Public Service Employees Union, for their tremendous work at the bargaining table. Leah Casselman has established herself clearly and firmly within the ranks of Ontario's—no, Canada's—truly great labour leaders; as well, the chairs of the two bargaining committees—Barry Scanlon, corrections, and Marg Simmons from the central team—with a tremendous amount of work. OPSEU made it very, very clear that they didn't want to have to strike, but if they had to, they would; make no mistake about it. OPSEU should be acknowledged and commended for their eagerness to remain at the bargaining table and to bargain even when the government wanted to leave that bargaining table and freeze and squeeze them out.

OPSEU's success in finally putting a significant number of workers in the Ministry of the Attorney General, a significant OPSEU struggle indeed on behalf of those workers in removing them from unclassified over to classified status, is a great victory for those public sector workers within the Ministry of Attorney General in the province of Ontario. As well, across the board, OPSEU's success in reducing the number of unclassified workers adds to their success and their tenacity at the bargaining table.

It remains disappointing that this government still hasn't restored significant cuts to benefits that were imposed by the previous Conservative government. It remains of concern not only to OPSEU workers but to people across this province that this government failed to meet OPSEU on the proposal around factor 80, especially when there were more than adequate funds in the government stabilization fund, more than adequate monies there, to fund factor 80 with no new cost, no additional cost whatsoever, to the government or the taxpayers of Ontario.

New Democrats understand how incredibly important public sector workers are to the health, the safety, the security and the well-being of our communities. We hold

those workers in regard, and we say that it's never wrong, ever, for workers to fight for better wages. It's never wrong for workers to fight for job security. It's never wrong for workers like public sector workers Leah Casselman and OPSEU, first and foremost, at the vanguard, to fight to maintain and rebuild a strong public sector. We are exceptionally proud of OPSEU, its membership, its bargaining teams and its leadership, and we urge the people of Ontario to give OPSEU due credit for their effective and important struggle on behalf of community safety and public safety in the province of Ontario.

**M. Gilles Bisson (Timmins-Baie James):** On veut reconnaître premièrement l'ouvrage qui a été fait par le comité de négociation de cette entente, spécifiquement SEFPO, M<sup>me</sup> Leah Casselman et toute son équipe, qui ont travaillé très fort et qui ont été très dévoués de la part de leurs membres pour être capables de négocier une entente. On pense que c'est un pas très important de la part de SEFPO d'être capable d'avoir cette entente. Cela démontre quelque chose.

Premièrement, SEFPO a rejeté la première offre du gouvernement par 65 %. En faisant ça, le syndicat a démontré au gouvernement qu'il n'allait pas accepter l'offre qui a été faite originalement, et les travailleurs ont travaillé de ce point-là.

J'ai eu la chance, comme tous mes collègues dans le caucus NDP, d'aller aux lignes de piquetage qu'ils ont mises en place, les démonstrations, et toutes les manifestations qui ont été organisées, telles qu'à Timmins, à Sudbury et dans d'autres communautés. On était là pour supporter les travailleurs, pour s'assurer qu'eux autres donnaient au gouvernement un message très fort : que les travailleurs du syndicat SEFPO voulaient avoir une entente, qu'ils voulaient avoir une entente juste, et que, si c'était nécessaire, ils étaient préparés à aller en grève. Ils ont envoyé ce message très directement au gouvernement. Finalement, le gouvernement a reconnu la force de SEFPO et, à la fin de la journée, a fallu négocier une entente.

On dit bravo à SEFPO et à Leah Casselman.

## DEFERRED VOTES

### PLACES TO GROW ACT, 2005

#### LOI DE 2005 SUR LES ZONES DE CROISSANCE

Deferred vote on the motion for third reading of Bill 136, An Act respecting the establishment of growth plan areas and growth plans / Projet de loi 136, Loi sur l'établissement de zones de croissance planifiée et de plans de croissance.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1413 to 1418.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Brotten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldeep  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
McGuinity, Dalton  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie  
Patten, Richard

Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sorbara, Gregory S.  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

Brotten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Colle, Mike  
Cordiano, Joseph  
Crozier, Bruce  
Delaney, Bob  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marsales, Judy  
Matthews, Deborah  
McGuinity, Dalton  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Oraziotti, David  
Parsons, Ernie  
Patten, Richard  
Peters, Steve

Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sorbara, Gregory S.  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker:** All those opposed, please rise one at a time and be recognized by the Clerk.

#### Nays

Baird, John R.  
Bisson, Gilles  
Chudleigh, Ted  
Dhillon, Vic  
Flaherty, Jim  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim

Jeffrey, Linda  
Klees, Frank  
Kormos, Peter  
Kular, Kuldeep  
Marchese, Rosario  
Martel, Shelley  
Murdoch, Bill  
O'Toole, John

Ouellette, Jerry J.  
Prue, Michael  
Scott, Laurie  
Tascona, Joseph N.  
Tory, John  
Wilson, Jim  
Witmer, Elizabeth  
Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 62; the nays are 24.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**The Speaker:** All those opposed, please rise one at a time and be recognized by the Clerk.

#### Nays

Baird, John R.  
Bisson, Gilles  
Chudleigh, Ted  
Flaherty, Jim  
Hardeman, Ernie  
Horwath, Andrea  
Hudak, Tim  
Klees, Frank  
Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.

Prue, Michael  
Scott, Laurie  
Tascona, Joseph N.  
Tory, John  
Wilson, Jim  
Witmer, Elizabeth  
Yakubski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 65; the nays are 21.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

### REGIONAL MUNICIPALITY OF PEEL ACT, 2005

### LOI DE 2005 SUR LA MUNICIPALITÉ RÉGIONALE DE PEEL

Deferred vote on the motion for third reading of Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

**The Speaker (Hon. Alvin Curling):** Call in the members. This will be a five-minute bell.

#### Interjections.

**The Speaker:** Mr. Gerretsen has moved third reading of Bill 186.

All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arthurs, Wayne  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bountrogianni, Marie  
Bradley, James J.  
Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Kennedy, Gerard

Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.  
Ramal, Khalil

### ORAL QUESTIONS

#### MINISTER'S INTEGRITY

**Mr. John Tory (Leader of the Opposition):** My question is for the Premier. Over the last several days there have been mounting questions about the standards that you apply to your ministers.

#### Interjections.

**The Speaker (Hon. Alvin Curling):** Order. This is just the start of question period, and the Leader of the Opposition hasn't started asking his question yet.

The leader of the official opposition.

**Mr. Tory:** In opposition, the Premier was very clear that running personal expenses through a taxpayer-subsidized riding association, to use his own words, "was wrong." That standard seems to have changed, now that he's in government, thus creating a double standard.

We now see a troubling case of one of the Premier's ministers appearing to be in violation of integrity rules around a company he owns, which has been placed in a blind trust.

My question to the Premier is this: Do you not think it is appropriate that ministers in your government at the very least "act with integrity and impartiality that will bear the closest scrutiny," as the act itself states?



**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Just so we're clear about the facts of this particular matter—then I'm sure we'll want to devote some time to the new standard Mr. Tory is setting by hiring photographers to follow around ministers of this government; I'm sure he's going to want to spend some time speaking to that—Minister Takhar has released some documentation, including a copy of a letter sent to Ms. Morrison at the Office of the Integrity Commissioner. The letter, in fact, was sent by the trustee for the blind trust, which made the circumstances of the meeting especially clear. He was meeting with his wife in order to talk about their daughter's future education and some of the costs connected with that.

That's the information we have. There are all kinds of speculation and innuendo on the other side, but I know that Ontarians really want to hear whether or not Mr. Tory thinks it is appropriate for members of his staff to be out there spying on ministers of the crown.

**Mr. Tory:** In the question I asked, the words that I used, word for word, came from the preamble to the Members' Integrity Act. I'll reiterate the point: "Members are expected to act with integrity and impartiality that will bear the closest scrutiny." That is the bare minimum.

*Interjection.*

**The Speaker:** Minister of Community and Social Services, please come to order. It will be a bad day if I have to name a minister at this time, supposedly at the end of the session.

*Interjections.*

**The Speaker:** Order. Can we come to order, please, all members.

**Mr. Tory:** The standard that is set out in the act is the minimum standard. It is the standard. The Premier, when he was in opposition, demanded a much higher standard. I'm sure the Premier will agree with me that when one visits a business, there's all kinds of information about that business posted on the walls, available on tables, not to mention the number of people you run into walking down the hallway. If you ask someone that you run into in the hallway whom you know, "How's it going?" you can get information on how the business is doing.

In light of this reality, and in light of the rules, which are very clear, do you think, Premier, it is appropriate that your Minister of Transportation spent time at a company that he placed in a blind trust and about which he is not supposed to have any knowledge? Do you think that's appropriate?

1430

**Hon. Mr. McGuinty:** Again, the circumstances relating to that particular meeting have been made very clear, notwithstanding the innuendo advanced by the other side. It was a discussion that had to do with the education of their daughter, and that was confirmed by the trustee with responsibility for the blind trust. Beyond that, you should know that Minister Takhar himself has asked the Integrity Commissioner to take a look at this

and to offer his own opinion on that. I think that speaks to his integrity when it comes to matters like this.

I will remind the member opposite that the last time members raised questions about the Minister of Finance and Mr. Sorbara had the matter referred to the Integrity Commissioner, the Integrity Commissioner concluded that those allegations had no merit, they were devoid of any factual underpinning, and that they do not come close to providing evidence of breach of the Members' Integrity Act. That is this party's track record when it comes to allegations.

I fully rely on the information provided by Minister Takhar, and we look forward to receiving the Integrity Commissioner's confirmation.

**Mr. Tory:** We will all look forward to that.

Mr. Premier, your Minister of Transportation placed his company, The Chalmers Group, in a blind trust. Section 11 of the Members' Integrity Act says, "The trustees shall not consult with the member with respect to the managing of the trust property," and yet your minister—and I'm going to refer to his words, not anybody else's—your Minister of Transportation told Sun Media, "We are entitled to get regular reports from our trustees whenever we want."

Premier, this is a clear misunderstanding of the Members' Integrity Act and shows that your minister was probably unclear on the rules and may have conducted himself in a manner that was inconsistent with those rules. Do you not agree that this apparent misunderstanding, based on his words printed in the media, added to the evidence now before the public, including the minister's own comments, is precisely the sort of thing that should be referred to the Integrity Commissioner, with a request on your part as the head of the government that all of the relevant people be interviewed to make sure of what the facts are in this case, given that there's some considerable lack of clarity from the principal? Do you agree with that?

**Hon. Mr. McGuinty:** The Integrity Commissioner has undertaken that very matter as we speak. I'm sure he's going to want to speak to whomever he wishes, and we pledge him our full co-operation.

I think there's a very important issue before this House today. Mr. Tory said he was going to introduce a new standard into Ontario politics. We've quickly discovered what that standard is. He has members of his staff go out with telephoto lenses and lie in wait for my ministers to take pictures of them and their activities. I ask him to tell Ontarians just how comfortable he feels sending members of his staff to take pictures. I'd ask him as well to inform us whether or not he's recording any conversations, because Ontarians will also want to know about that.

**The Speaker:** New question.

**Mr. Jim Wilson (Simcoe-Grey):** My question is again to the Premier. Premier, let's review the facts as we know them. Your minister was caught at his company, a company for which he is supposed to have no knowledge; it's supposed to be in a blind trust. The Members'

Integrity Act states that he's not to receive updates from those who now run his company. While your minister is not to receive these updates, he seems to think that he's entitled to regular updates whenever he wants them from the trustee, a trustee who happens to not only be the CFO of The Chalmers Group but also the CFO of the minister's Liberal riding association.

In the same Sun Media article, the Integrity Commissioner's spokesperson says, "[Ministers] are not permitted to have any knowledge of what is going on and the trustee is not to discuss anything with the minister."

Premier, given this appearance of a breach by your Minister of Transportation of the Members' Integrity Act, do you not agree that he should step aside pending a full investigation by the commissioner?

**Hon. Mr. McGuinty:** No, I don't agree. I do not agree. What we have before us is a letter from the trustee responsible for the blind trust, who describes what took place at that particular meeting. Mr. Takhar met with his wife, and the subject of the meeting was their daughter's future education at the post-secondary level.

I want to quote from the meeting notes made by the trustee. They say,

"Both of them discussed the following issues: location of the university; reputation of the university/college; program structure and long-term prospects; course fees—residence fees—all costs; daughter preference.

"The pros and cons of the above issues discussed in greater length.

"The financial impact \$14,000 to \$60,000 per annum.

"I was asked by Mr. Takhar whether this ... could be accommodated in the blind trust.

"I told him that this could be done...."

He concludes by saying, "No other business discussion took place."

They were talking about their daughter's education. That is what happened at that meeting. And, no, I will not ask him to step aside.

**Mr. Wilson:** Premier, there's very little honour left in this place. When we were in government, we did the honourable thing. I was the first minister, as Minister of Health, to step aside when questions were raised about what a member of my staff did. Mr. Runciman did the honourable thing. In opposition, you agreed that ministers should step aside, Premier, and do the honourable thing, do the parliamentary tradition, take ministerial responsibility and wait until investigations are completed. So I ask you again, given the iffy circumstances of your minister's actions, given that the CFO for his company is also his independent trustee and also the CFO of his Liberal riding association, will you not ask the minister to step aside and ask the Integrity Commissioner for a full investigation into this matter?

**Hon. Mr. McGuinty:** Again, this was a meeting that had to do with Minister Takhar's daughter's education. That has been confirmed by the trustee responsible for the blind trust. Minister Takhar himself has now referred this matter to the Integrity Commissioner. That matter is

being addressed in an effective way and the best way possible that I know of.

I will tell you what is outstanding, Speaker. There is an outstanding issue facing this House today, and that is the new standard set by Mr. Tory. I think he owes it to the people of Ontario to tell them: How long has he engaged in this practice of sending his staffers around to take pictures of ministers of the crown? Who is he taking those pictures of? Will he provide us with copies of those pictures? Will he provide us with the negatives of those pictures? And beyond that, will he confirm whether or not he's in fact recording conversations that have been taking place with any ministers of the crown?

1440

**Mr. Wilson:** Premier, it's a pretty weak defence. You've got a minister who either doesn't know the rules and doesn't want to follow the law, or he doesn't care that he breaks the rules and perhaps breaks the law. So we ask you again to stop your spin doctoring; it's not going to work this time. Your minister has been caught with at least the appearance of doing something wrong and breaking the rules.

*Interjection.*

**The Speaker:** Minister of Community and Social Services, come to order.

**Mr. Wilson:** Why don't you do the honourable thing: Ask the minister to step aside, ask the Integrity Commissioner for a full investigation and restore some integrity to this place? After all, you're starting citizens' juries and committees to look at how this place works, and yet you won't follow the rules in place today and you won't do the honourable thing. So I give you one more chance: Will you ask your minister to step aside and do the honourable thing?

**Hon. Mr. McGuinty:** I can understand why Mr. Tory has chosen not to pursue this line of questioning. Minister Takhar has himself told us about the subject of this meeting, and that's been confirmed by the trustee responsible for the blind trust. The subject matter of the meeting was their daughter's post-secondary education, and that's been referred to the Integrity Commissioner by the minister himself.

The real issue before this House today is the new standard set by Mr. Tory when it comes to stalking cabinet ministers, spying on cabinet ministers. I would ask him to make clear to the people of Ontario why he endorses and approves of this new standard, and would he not provide us with copies of all the pictures ever taken of any cabinet ministers or any other members of the government?

*Interjections.*

**The Speaker:** Order. New question.

## COST OF ELECTRICAL POWER

**Mr. Howard Hampton (Kenora-Rainy River):** My question is for the Premier. A year ago, the Bowater forest products company came here and said that your government's policy of driving up hydroelectricity rates was going to put them in trouble and was going to put a



number of paper mills across northern Ontario in serious economic trouble.

Now you have the forest sector competitiveness report, which echoes the same thing: In just the next few months five mills, over 2,000 direct jobs and 9,000 indirect jobs are directly at risk as a result of your government's policy of driving industrial hydroelectricity prices through the roof.

Premier, what does your government intend to do? Are you simply going to write off these mills, write off these jobs and write off these communities? Your response today was an insult to those workers, those communities and those industries.

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I know that the Minister of Natural Resources has more detail, but let me just take the first question and say that what we did today, we think, was a step forward. I don't think the communities, which are very concerned about the future of the forestry industry up there, would see this as an insult; they would see it as an important step forward.

I can tell you that I have had the opportunity to meet with Mr. Nemirow. I have met with him in Washington; I have met with him here in Toronto. I have met with him together with others connected with the forestry industry. There are some very real issues connected with it, not the least of which is the dollar. We have a trade issue; we have the sourcing of the pulp. Of course, electricity prices are a real issue, admittedly.

We've made an important first step today. I know the Minister of Natural Resources has more to do. We will continue to work with all of our northern communities. This is an important foundational economic issue up there. We've taken an important first step today, and there are more to come.

**Mr. Hampton:** The Premier talks about meetings. These companies aren't interested in more meetings; they're interested in some action. What the workers in these mills want to know is this: In many cases, these paper mills are surrounded by hydroelectricity dams where it costs one cent a kilowatt hour to produce the electricity, but under your government's policy, those paper mills are paying seven cents a kilowatt hour for their electricity, while a paper mill in Quebec is paying three and a half cents a kilowatt hour, a paper mill in Manitoba is paying three cents a kilowatt hour, and, in British Columbia, three and a half cents a kilowatt hour. In the United States—in Michigan, Minnesota and Wisconsin—they're paying four and a half or five cents a kilowatt hour.

You're putting northern Ontario jobs, northern Ontario industries and northern Ontario communities at deep risk. I suggest you keep your eye on Thunder Bay, where three companies are looking not just at shutting down paper machines but shutting down whole mills. I say to you again, Premier: You're driving up electricity prices. You're making the problem worse. What are you going to do on the issue of electricity prices that have gone through the roof? Don't promise more meetings. They're not interested in meetings.

**Hon. Mr. McGuinty:** To the Minister of Natural Resources.

**Hon. David Ramsay (Minister of Natural Resources):** I know the honourable member knows that we're talking about more than just meetings here. He knows and is very well aware of the announcement I made this morning in Thunder Bay of a \$350-million loan guarantee program for our forest industry companies to make those investments that are needed to improve their energy efficiency, their utilization of fibre and to look into exploring more value-added production from our northern forests. The member knows that.

He knows that we're working with our companies and dealing with Bowater in particular on a daily basis as they start to make some decisions to reposition their mill and produce a brand new product for northwestern Ontario.

**Mr. Hampton:** Minister, your response of loan guarantees was an insult, and that's what companies are saying. Have you looked at Abitibi? Abitibi is putting for sale their mill in Thunder Bay and the timber limits. Why? Because they need to reduce debt. Bloomberg says that they want to reduce their debt level by 13%, but reducing it by 13% would take the whole \$350-million loan guarantee. These companies want to reduce their debt; they're not interested in the McGuinty government helping them take on more debt.

You're putting \$500 million into the auto sector to sustain jobs. It's not debt money; it's direct taxpayer money. You're putting \$150 million a year into the movie and television industry in Toronto to sustain jobs. You're going to put \$400 million into the casino in Windsor to sustain jobs. Where's the investment strategy for northern Ontario pulp and paper mills that don't need more loans—they need an investment strategy?

**Hon. Mr. Ramsay:** The member also knows that this was an initial response and that, of all the requirements that the report is giving to the government, over the next few months we are going to be responding to that and working hand in hand with the industry. In fact, the competitive council has an ongoing working group to make sure that we work together, and that this is not a report that's going to sit on a shelf, but that we will continue to respond to the needs of the industry to make sure we don't have happen in the northwest what happened on your watch, when we lost from 6,000 to 11,000 jobs in our resources industry. We're working with the industry; we're working with the communities to make sure we save those jobs in northwestern Ontario.

**The Speaker (Hon. Alvin Curling):** New question.

**Mr. Hampton:** To the Premier: I suggest that you go out and try to peddle that story. What I remember from the NDP government is, we helped restructure and reposition Spruce Falls and Timiskaming. We repositioned St. Marys. We repositioned Abitibi Provincial in Thunder Bay. We repositioned 22 sawmills. So if you want to go out and try to peddle that nonsense across northern Ontario, you go ahead.

This is about your government. You've driven up electricity prices. You're putting thousands of jobs at

risk. An economist at Lakehead University says that what your government is doing to the forest sector is going to lead to a 25,000 reduction in Thunder Bay's population, and the loss of not just a hundred but thousands of forest sector jobs.

You've got an investment strategy for the auto sector, an investment strategy for the movie and television sector; where is the investment strategy for the forest sector? Stop trying to blame somebody else.

**Hon. Mr. McGuinty:** To the Minister of Natural Resources.

1450

**Hon. Mr. Ramsay:** I'd like to say to the member that the competitive council report that I released today is basically a blueprint that we have developed together for the future of the forest industry in northern Ontario. We're working with the forest companies to make sure that blueprint becomes a reality so that we can have a sustainable resource industry in northwestern and north-eastern Ontario. This is very much unlike the 500,000 people who lost their jobs, basically 1,000 a week, during the NDP term of government. We're working with our northern economy, working with our communities, with our First Nations and with the unions to make sure that we sustain this industry to be strong in northern Ontario.

**Mr. Hampton:** Here is what's happening: The Abitibi mill in Kenora is saying that they're almost ready to close. Here's the reality for them: They have four hydro dams on the Winnipeg River and the English River that produce electricity for one cent a kilowatt hour, but the McGuinty government is forcing that company and those workers to pay seven cents a kilowatt hour. Meanwhile, 90 kilometres away in Manitoba, the Tembec mill also draws its electricity from hydro dams on the Winnipeg River, and they're paying three cents. Three cents versus seven cents: Hydroelectricity has now become the biggest cost item for that company's mill.

Minister, you didn't announce anything on electricity. You didn't announce an investment strategy. What they're asking is, how are they supposed to compete with mills in Quebec, mills in Manitoba, mills in British Columbia, mills in Wisconsin, Minnesota and Michigan, when you are forcing their electricity prices through the roof? How are they supposed to compete?

**Hon. Mr. Ramsay:** I think the member misrepresents what's going on here and is not looking at the whole picture. I should say, maybe he's not misrepresenting, but he's not giving us the whole picture.

**The Speaker:** Some unparliamentary language did come out. Would you like to withdraw those comments?

**Hon. Mr. Ramsay:** I'll withdraw, Mr. Speaker.

I think the member doesn't want to look at the total picture. He must remember that the Minister of Energy appointed a cogeneration coordinator for the province of Ontario to work with the resource industries. His team has been working with companies right across northern Ontario. The MNR team has also been working with these companies across the northwest. I don't think he appreciates what this loan incentive program does. It

offers an opportunity for these companies to make investments in cogeneration, other energy efficiency investments and also fibre utilization investments—exactly what the companies want. This is what they asked for in the report, and this is how we're responding.

**Mr. Hampton:** Minister, here's the reality: These mills aren't asking for more electricity. We actually have a surplus of electricity in northern Ontario and a big surplus of electricity in the northwest. More electricity isn't the issue for them; affordability of the electricity is the issue—affordability of the price. The only thing the McGuinty government has done since coming to power is drive the price of their electricity up by close to 30%. Most of these companies have seen their electricity bills go up by over 50% in the last two and a half years. That's where they're asking for action. They came here a year ago asking for action. The only thing they've seen from the McGuinty government in the last year is that you've made the problem worse. You've driven up the price of electricity more, you haven't come forward with an investment strategy, and when they say to you, "We're at risk, we're in danger," you say, "Well, we'll have another process."

Minister, five mills are at risk of closing in the next six months—thousands of jobs. What is the McGuinty government's response, other than trying to blame somebody else and offering more talk?

**Hon. Mr. Ramsay:** The member is correct as far as working with the mills that are at risk. But they let the mills go during their watch, and we're not doing that. We're working with them. You let 11 mills go.

*Interjection.*

**Hon. Mr. Ramsay:** We gave you the list in the last few weeks.

We're working with those mills that are at risk, and making sure they have the opportunity to make the investments to make themselves whole. I think what the member needs to understand also is that we have an opportunity for green—

*Interjections.*

**The Speaker:** Order.

*Interjection.*

**The Speaker:** Member from St. Catharines.

*Interjections.*

**The Speaker:** Order Would the government House leader, the leader of the third party and the member from Nickel Belt come to order, please.

New question.

#### MINISTER'S INTEGRITY

**Mr. Jim Wilson (Simcoe-Grey):** My question is again for the Premier. I suggest, for the sake of the integrity of your government, that you should be concerned about the actions of your Minister of Transportation in visiting a company that's supposed to be in a blind trust.

In fact, it appears that your minister either doesn't know the rules or doesn't care, because Mr. Takhar said to Sun Media in a story on the weekend, "Nothing is



prohibited; you should know that. We are entitled to get regular reports from our trustees whenever we want."

Premier, the fact of the matter is that he appears to be in breach of the Members' Integrity Act. The trustee whom you hide behind only reported today to the Integrity Commissioner. It has taken a month and a half. Only after Mr. Takhar and the trustee got caught did they even bother to contact the Integrity Commissioner, and they did it in such a hurry, they actually did it in handwriting.

I ask you again, Premier: For the sake of your own personal integrity and that of your government and that of your minister, will you not ask the minister—since he isn't going to do the honourable thing himself, obviously—to step aside, do the honourable thing and have a full investigation by the Integrity Commissioner?

*Interjections.*

**The Speaker (Hon. Alvin Curling):** I hope that the Minister of Consumer and Business Services will also come to order. The ministers seem to be much more boisterous than the other members of the government, because—

*Interjection.*

**The Speaker:** Order. We are just trying to get through one hour of question period.

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I want to see the pictures.

**The Speaker:** The Minister of Community and Social Services refuses to adhere to any sort of warning that I give.

*Interjection.*

**The Speaker:** The help that I would need wouldn't be coming from anybody, as I'm quite capable of doing the job.

I think the member for Simcoe–Grey had already put his question. Premier?

**Hon. Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Again, the Minister of Transportation indicated clearly what the purpose of the meeting was. That has been confirmed by the trustee for the blind trust. The Minister of Transportation has taken it a step further and taken it upon himself to bring this matter before the Integrity Commissioner.

I think we should allow the Integrity Commissioner to review this matter and to take the appropriate time and to interview the appropriate witnesses and to examine the appropriate documentation. I think that's the fair and responsible thing to do.

What I think is unfair and irresponsible is for Mr. Tory to tell his staff to pick up a camera, equip it with a telephoto lens and begin to stalk cabinet ministers. I think that is inappropriate and I think that is irresponsible.

**Mr. Wilson:** Premier, that's a horrible defence, and you know that.

The fact of the matter is your minister has been caught doing something wrong. It's your responsibility to contact the Integrity Commissioner. You're the leader of the

government. These are your advisers, called cabinet ministers.

When you were on this side of the House you were in favour of doing the right thing. You sure have done a flip-flop. All you do now is hide behind a trustee whose own independence is rather dubious, given that he's also the chief financial officer for the Liberal riding association. You've not contacted the Integrity Commissioner or done the right thing. All you've done is launch a Chrétien-style attack on us and the people who caught your minister.

Once again, will you contact the Integrity Commissioner, ask that a full investigation be launched, and in the meantime send your minister to the penalty box until this matter is cleared up? Ask him to step down and do the honourable thing.

1500

**Hon. Mr. McGuinty:** Minister Takhar has handled this in the appropriate way, in the fair way and in the responsible way. I think we should allow the Integrity Commissioner to do his work.

I might ask Mr. Wilson if he would feel comfortable if he was being followed by a photographer with a telephoto lens. I might ask Mr. Tory if he thinks it is appropriate that someone should follow him equipped with a camera and a telephoto lens.

There is an issue before us today, and it is an important issue. It is, to my knowledge, without precedent in this province. It's an issue that has been introduced by virtue of a new standard set by Mr. Tory. He thinks that it is fitting, right, just and appropriate that a member of his staff follow around ministers of the crown, lie in wait and surreptitiously photograph them. He thinks that's right, he thinks that's reasonable, he thinks that's responsible; I think he's set a new low for the province of Ontario.

#### PROBATION AND PAROLE SERVICES

**Mr. Peter Kormos (Niagara Centre):** A question to the Minister of Community Safety. People across this province are incredibly worried about your scheme to shut down the Ontario parole board. They're worried about community safety. Provincial parolees currently receive a high level of supervision, and enforcement is swift in most cases, at least to the extent that staffing permits. This is going to end if you dump provincial parole on to the national board of parole and Corrections Canada.

Why do you want to make it easier for very dangerous offenders to get parole and undergo less intensive supervision?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. First of all, that decision has not been made. I have a responsibility as the minister to take a look at all of our operations to see where we can do things more efficiently, always keeping in mind public safety.

I think it's important to understand the environment that we work in. The people who come to our facilities

are sentenced to two years less a day. The number of people who actually serve—and you should know that we have more people on remand in our facilities than we do on charge. The number of people who actually serve a sentence average 54 days. When you consider that an average sentence is 54 days and they get released, parole is not the issue that it is at the federal level where you have people who are serving life sentences, who are serving very, very large sentences.

What we're doing is taking a look at why every other province but two does not have their own parole system. I can assure you of this: Whatever decision we make, it will have no impact on public safety, because that's our paramount concern.

**Mr. Kormos:** Amongst the people serving provincial offences are some of the most dangerous people in Ontario: child molesters, rapists and, indeed, yes, murderers.

Look, the National Parole Board has hardly distinguished itself, and you're ready, with their dismal track record, to hand over supervision of some of the most dangerous people in this province to them. I tell you, it's an extremely risky endeavour. You haven't consulted on this decision. You haven't talked to the parole board staff or probation and parole about this decision. Indeed, the information released recently is that a murderer was recently denied parole by the vice-chair of the Ontario parole board, a murderer within the provincial reformatory system.

Minister, tell us today that you are going to consult with parole officers and your provincial parole board before you embark on this very, very risky exercise.

**Hon. Mr. Kwinter:** As I stated earlier, we're examining it because we have a responsibility to look at everything that we're doing to make sure that we can provide the taxpayers of Ontario with a safe and efficient system.

When that decision is taken—and it hasn't been taken as yet—we will examine all of the possibilities and will satisfy ourselves that people are not put at risk, and that those people who are released, whether it is the provincial board or the federal board, are done so with safety in mind.

#### RURAL HEALTH SERVICES

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** My question is for the Minister of Health and Long-Term Care. In my riding of Lambton–Kent–Middlesex, I have four rural hospitals, and the one at Petrolia is particularly interesting. It is named after Charlotte Eleanor Englehart, who bequeathed the mansion that her husband, Jake, had built for her to the town of Petrolia when she died in 1908. That mansion is still an integral structural part of the hospital we have there today.

In the late 1990s, the Health Services Restructuring Commission came to Petrolia and the community literally rallied around their hospital and forced the Tory government to recognize that rural and northern health care had its own unique needs and was important to the people

who use it. Charlotte Eleanor Englehart Hospital was amalgamated with Sarnia General in April 2003 and continues to serve the communities of Petrolia and Enniskillen, and Lambton county.

But lately there has been concern about the hospital, and there has been talk that maybe the hospital is again at risk of closing. Minister, what assurances can you give the citizens of Petrolia and the surrounding catchment about the future of their hospital?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I can say to the honourable member, who represents her constituents with vigour, that I appreciate the question on health care, particularly as it comes at least 120 hours after a Supreme Court of Canada ruling that could have implications for medicare, and neither of the opposition parties here at Queen's Park has shown interest in that issue.

With respect to the Englehart hospital in Petrolia, I can give this member the assurance that its future is bright and that this government has committed to health care in rural Ontario. Since our coming to office, this hospital has received much more than \$1 million in new funding as a result of the initiatives of our government for a wide variety of things, including enhancements to the capital and to the quality of the equipment. I can give assurance to the honourable member that as our government moves forward to build a better, stronger health care system in Ontario, the hospital in Petrolia will be at the centre of it.

**Mrs. Van Bommel:** Minister, I want to thank you for your unequivocal support and reassurance for the citizens of Petrolia and area.

A lot of things have changed in health care since the Tory regime. The instability that was there has now been replaced by a government that has a commitment to health care and a plan on how to get there.

Minister, I'm confident in our government's commitment to small and rural hospitals. Could you elaborate on how they're going to fit into the health care plan that you have?

**Hon. Mr. Smitherman:** As a result of our initiatives with respect to local health integration networks, we're going to engage people from the local community to help make these final determinations. I can assure the honourable member, though, that as we move forward, we do need to look at opportunities to make sure that each hospital in our province is fulfilling a vital and very special role.

With respect to securing the future of these smaller rural hospitals, we've provided for larger than per capita investments through a diagnostic and medical equipment fund. Toward the end of last year, we made a \$16-million adjustment to the operating budgets of these smallest hospitals, and more information will be available soon. People will see the efforts we're going to to establish those resources as a base funding initiative.

As we move forward through local health integration networks and seek to make sure that the health care system is better integrated, we will be making sure that hospitals like the one in Petrolia continue to play that



vital, important role that they have in this community for decades and decades.

### ONTARIO ECONOMY

**Mr. Jim Flaherty (Whitby-Ajax):** My question is for the Premier. We've seen, in almost two years, higher taxes—dramatically higher taxes—much higher spending in Ontario and substantial increases in the public debt. As a result, it's not surprising that Ontario economic growth now lags behind Canadian average economic growth. The Ontario that used to lead Canada now lags behind Canada in economic growth, and for good reason: the largest tax increase in the history of the province of Ontario. Our taxes in Ontario are now second only to Newfoundland and Labrador and Quebec in the entire country.

Is it any wonder that we're lagging behind, particularly in the area of small business? Seventy-nine per cent of small business people say that the most important thing in their confidence in the Ontario economy is the overall tax burden. What can you say to small business in Ontario, the engine of economic growth, to restore their confidence, to get Ontario back where it should be, leading Canada, not lagging the Canadian—

1510

**The Speaker (Hon. Alvin Curling):** Thank you, Premier?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The member may have missed this, but in May this economy in Ontario created 32,000 new jobs.

**Interjection:** Many of those in small business.

**Hon. Mr. McGuinty:** Many of those in small businesses. Since we've been on the job, 178,000 new jobs have been created in the province of Ontario. If ever there was a vote of confidence in this economy, it is coming from the private sector that is taking out the loans, making the investments, taking the risks, creating the jobs, supporting the families and contributing to our quality of life. That, more than anything else this member says, speaks to the confidence that the private sector has in this province and in its economic future.

**Mr. Flaherty:** There is no question that this Premier knows how to grow government. We've got a lot more government jobs, we've got a lot more jobs in the broader public sector, but in the second-largest sector in this province, the retail sector, do you know what's happening? Retail growth in Ontario last year was 3%; retail growth across Canada—5%. Do you know what that means for our economy, Premier? That means \$2.5 billion—those two percentage points.

We're lagging behind the rest of the country. We've lost our economic growth momentum. That's why I say to the Premier, what are you going to do about creating more debt, which you're doing? Creating more deficit is what you're doing. Discouraging investment of capital is what you're doing, and in particular in the retail sector, which is one of the foundation areas for new jobs for

people entering the workforce. What are you going to do about retail sales?

**Hon. Mr. McGuinty:** In our first year, the Ontario economy created three times as many jobs as it did in the Tories' first year. In May, 32,000 new jobs created; since taking office, 178,000 new jobs created. The Dominion Bond Rating Service maintained our AA rating and upgraded the long-term outlook.

The auto sector has invested \$3.5 billion in this economy. That surely is a vote of confidence about our economic future. I'll tell you one of the reasons why the auto sector in particular is endorsing this economy. It's because of medicare. And if they had their way, not only would they take \$2.5 billion out of our medicare system, they would introduce more and more private health care that would drive up the cost, not only for Ontarians but for Ontario businesses.

We will continue to grow this economy. We're pleased with the accomplishments we've had so far, but there is more work to be done.

### AIR QUALITY

**Mr. Howard Hampton (Kenora-Rainy River):** To the Premier: Before the election, you said often that you had a plan to clean up southern Ontario's air, that you had a plan for cleaner air and a cleaner environment in southern Ontario. But today, much of southern Ontario is under an extended smog advisory. It's not even summer and already southern Ontario has had 17 smog days, three more than in all of 2004. You said that you had a plan before the election. Where is the McGuinty plan? What is the McGuinty plan to ensure cleaner air in southern Ontario?

**Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the Minister of the Environment.

*Interjections.*

**The Speaker (Hon. Alvin Curling):** Order. We have about 13 more minutes for question period, and I think just to get some orderly time, I may be starting to give a final warning to all members who are continuing to disrupt the proceedings.

I think the Premier said in that confusion, the Minister of the Environment.

**Hon. Leona Dombrowsky (Minister of the Environment):** This government and this Premier take air quality issues in the province of Ontario very seriously. That is why we are committed to replacing coal-fired generation. The honourable member has not made that a priority. For this government replacing coal is a priority, and we closed the first generating station, in Lakeview, last month. We have introduced a five-point air emissions plan. We are capping air emissions on NO<sub>x</sub> and SO<sub>x</sub>, not just in the energy sector but in six new industrial sectors.

Our government is investing in public transit and we're directing two cents of our gas tax to municipalities which will improve and expand transit services. Our government is committed to cleaner gasoline and we're

going to require 5% ethanol in our gasoline by the year 2007, 10% by the year 2010. That's our government's commitment to cleaner air in the province of Ontario.

**Mr. Hampton:** We're hearing a lot of hot air from the minister, but what people across Ontario experience is more and more smog days. You claim credit for closing coal plants. The only coal plant that's closed is Lakeview, and that was closed according to the plan the former government put in place. As far as the largest polluter, Nanticoke, there is no plan to close Nanticoke. It is belching as much smoke now as it did under the Conservatives. Your plan to close the Atikokan coal-fired generating station is a complete offside; it contributes no pollution, none, to the southern Ontario airshed. Meanwhile, you are importing more electricity from the United States, and what's that electricity? Coal-fired electricity. The air is getting dirtier, not cleaner. And so far, we don't see a plan. We see a media spin exercise but no plan. Where's the plan for cleaner air in southern Ontario, as it gets dirtier every day?

**Hon. Mrs. Dombrowsky:** This from the leader of a party that had a plan to replace coal by the year 2015, eight years beyond what our commitment is. I would like to refer the honourable member to the report that came out last week from the Sierra Club of Canada. This is what the Sierra Club has said about Ontario's performance on the climate change file and improving air quality. They've indicated that the closing of the Lakeview coal-fired plant is a significant step for Canada in fighting climate change. It has also cited that a recent request for a proposal for clean energy is also taking us a good way along our goal to cleaner air. I want to say that the Sierra Club of Canada has been providing a grade to the province of Ontario for the last 10 years, and that grade has been F. As a matter of fact, in the year 2001, it was F-minus, and I don't know how you can get an F-minus. This year it is C-plus. We still have work to do. Our goal is A, but the Sierra Club of Canada has recognized—

**The Speaker:** Thank you. New question.

#### TEACHERS' CONTRACTS

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Education. It is good news for Ontario, and particularly good news for students, that almost every school board in the province has settled its collective agreement based on the provincial framework. We are looking at the road ahead and parents now see us driving their children toward a very bright future. This new era of cooperation between government and our teachers is a marked departure from the divisive policies of the past government. Previously, school boards were pitted against teachers, and students were left struggling and missing countless days due to labour unrest.

Students in my riding of Stormont-Dundas-Charlottenburgh are pleased that their school year will not be disrupted by teacher strikes or work-to-rule for three more years, but they wonder how the framework agree-

ment will affect them directly. Minister, what changes will students see in their schools this September as a result of this provincial framework?

**Hon. Gerard Kennedy (Minister of Education):** Thank you to the member who has a long history of supporting publicly funded education, and that's what the parents and students will see happening this fall, which is an improvement in publicly funded education: 600 more specialist teachers in elementary schools delivering on improved arts and music and these kinds of enhancements. The last government had a choice; they could have improved public education. Instead, they decided to stampede students out of publicly funded education into private schools. It was a choice they made. We made quite a different choice.

In high school, there are 1,300 teachers there to help lower class sizes, to improve the prospects especially of struggling students. They are there in significant numbers; a student success teacher in every school, driving to reduce the dropout rate, shamefully, unfortunately, left to us by the previous government. Most importantly, there will be a collaborative outlook. That's what comes from the provincial framework: teachers and principals, school boards and the government working together, as we should, to convey an educational advantage for every Ontario student.

1520

**Mr. Brownell:** Education under the previous government was defined by striking workers on picket lines. Hospitals, schools, government offices and other public bodies were crippled by strikes as labour and the government fought over the divisive Tory agenda. I was in the schools; I remember.

Parents in my riding believe that peace and stability in the education system is a prerequisite for learning. Students, we know, don't have much of a chance if their teachers and principals are distracted by contract talks. To them, an end to work-to-rule and job actions by teachers is an example of how the McGuinty government has established peace and a healthier learning environment in our schools.

Minister, what is in your plan for continuing to work with teacher associations, school boards, school communities and others to improve student outcomes, and what is your plan to build on peace and stability to better education in Ontario?

**Hon. Mr. Kennedy:** Again, I appreciate the question coming from this member, who I know has an abiding belief and faith in public education and who knows that there was and there has been, unfortunately, a choice. The previous government, when it saw that there were troubles in terms of education and things that had to be done, both to restore public confidence and make some things work better, took the lazy way out. They exacerbated conflict, they dodged all the tough questions, and they didn't find ways to make it work.

We have put in place a partnership table with the presence of all the education organizations. Trustees and parents, students and school boards come together, as



they did last week, to look at the things that need to be done to help make decisions and to help create a unified agenda for going forward. We will have, this fall, a provincial stability commission to make sure that we don't just have labour peace; we have a means of co-operating. We'll have a student success commission to drive down the dropout rates. In short, we'll have the kind of co-ordination in public education that students have waited for way too long.

### COMMERCIAL FISHING

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** My question is to the Minister of Natural Resources. As you will know, in my area they're working on a fishing agreement with our native people. You also received a letter from the OFAH around May 19, and in that letter they requested that your staff working on this agreement or yourself meet with some of the clubs that are directly affected by this agreement; namely, the Sydenham sportsmen's club and the Bruce Peninsula club, along with the OFAH. Today, Minister, I would like to ask you if you would commit to this meeting before an agreement is signed.

**Hon. David Ramsay (Minister of Natural Resources):** First off, I'd like to commend the member for how he's handling this issue. These issues are very contentious. Issues in regard to the conflict between commercial fishing and sports angling are contentious to begin with, but especially when First Nations communities want to partake in the commercial fishery. Trying to negotiate that to make sure that happens is a very contentious issue, and I appreciate the member's approach in this and working with me on this. I would say to the member, I'm committed to work with him, and we will have those public meetings to make sure that his community understands what we're trying to do in our negotiations.

**Mr. Murdoch:** Don't be too kind to me because then I'll get in trouble over here too.

I do appreciate what the minister has been doing in working with this problem. I appreciate the fact that he will meet, I understand, with some of the clubs in our area, along with the OFAH. This is a very contentious issue and we want to make sure that we get a deal that everyone will be—well, we may not get one that everyone will like, but at least they'll like it the best they can.

I know in the past you've dealt with some of this, and in the past, when you were a critic, you did mention that everybody should be involved. So will you be able to meet with them or will it be your team that will meet with the different clubs?

**Hon. Mr. Ramsay:** I would say to the member, you might want to have the experts come up and meet with your people rather than myself. What I commit to you is that I'll make sure that people who have been very close to these negotiations will meet with the sports fishery clubs and your community up there to explain the balance that I think we're getting just right through these negotiations.

I very much appreciate the member's position and the position of the sports clubs that you want to protect the bays for the sports fishery. There's lots of water out there for the commercial fishery. I think through these negotiations we're going to find the right balance to make sure that the sport angling industry, which is very large in your area and contributes millions of dollars to this economy, is balanced with the First Nation commercial fishery.

### RURAL EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** To the Minister of Education: Seven small schools in the Lakehead District School Board are scheduled to close down, and parents, as you probably would understand, are very concerned. The child advocate is concerned. The child advocate, Judy Finlay, has this to say about the closure of the Fourway school: "Children aged four and older will be travelling considerable distances on the highway without seat belt, a washroom or adult supervision. In addition ... this highway is routinely closed in the winter months when the road conditions are poor, leaving the youth stranded and not able to return to their family homes."

Minister, you can't let this happen. What is your plan?

**Hon. Gerard Kennedy (Minister of Education):** I'm happy to hear from the member, as I think we all are, on this particular issue. It is an important issue. This is about the fate of rural schools and of smaller schools in one of our boards. It's about a transition between the past, which has been very harsh on those particular kinds of institutions, and a future where we consider schools more on their merits, more on whether they're good for students, more on what kind of involvement they have from the community, and more on what impact they have on the local economy. We've asked all those things to be taken into consideration.

I'm sure the member opposite has spoken to the facilitator because his concern is so significant in this regard. He's talked to David Cooke, whom I know he has awareness of. The former education minister has been in Thunder Bay and has spoken with not just Fourway but Gorham and Ware and a range of schools. He has looked at the decisions that have been made to see whether two things will be accomplished: Is this in the spirit of the new guidelines, and can a significant benefit be delivered if the new guidelines are applied? That is what—

**The Speaker (Hon. Alvin Curling):** Thank you. Supplementary.

**Mr. Marchese:** On April 25, you said it would take "two to two and a half weeks" to come up with a decision on the Lakehead school closures. Obviously, this deadline has passed. Now we've found out that a review of the closure of the Lakehead schools was completed and handed over to you on June 1, but you still haven't informed us of your decision.

Minister, you make promises you don't keep; you deliberately delay; you dismiss, apparently, the issue as if it were trivial. Why haven't you told concerned parents

what you're going to do with their schools given that the report was given to you on June 1?

**Hon. Mr. Kennedy:** I would say to the member opposite that he makes this the last question of the last question period. We have spent a significant amount of time. I believe he supports the appointment of Mr. Cooke. He knows that we've brought in a new policy. He knows that the policy and the funding behind it materially change the outlook. He'll be very happy and satisfied. It's very unfortunate we don't have a question period tomorrow. We inevitably would hear from him. The report is due out very shortly, and he may indeed be pleased with the conclusions. I'll look forward to his comments through other forums.

#### VISITOR

**Mr. Tony Ruprecht (Davenport):** On a point of order, Mr. Speaker: We have a very important guest in the west gallery, Mr. Michael Gallagher, from the operating engineers of Ontario.

**The Speaker (Hon. Alvin Curling):** That's not a point of order.

#### PETITIONS

##### HEALTH CARE SERVICES

**Mr. Jerry J. Ouellette (Oshawa):** The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the current government has eliminated OHIP coverage for chiropractic services; and

"Whereas the current government has eliminated and reduced OHIP coverage for optometry services; and

"Whereas the current government has eliminated and reduced OHIP coverage for physiotherapy services; and

"Whereas the current government has refused to fund treatment for autistic children even after the courts and human rights commission ruled it should; and

"Whereas the current government has now decided to fund sex change operations even though the Canada Health Act deems it not an essential health service;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario does not fund sex change operations and reinstates funding for delisted health services."

I affix my name in full support.

1530

##### REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Michael Prue (Beaches-East York):** I have petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario;

"Whereas the Minister of Community and Social Services has announced plans to close the Rideau Regional Centre, home to people with developmental disabilities, many of whom have multiple diagnoses and severe problems that cannot be met in the community;

"Whereas closing the Rideau Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and the economies of the local communities;

"Whereas Ontario could use the professional staff and facilities of the Rideau Regional Centre to extend specialized services, support and professional training to many more clients who live in the community, in partnership with families and community agencies;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government to keep the Rideau Regional Centre open as a home for people with developmental disabilities and to maintain it as a 'centre of excellence' to provide specialized services and support to Ontarians with developmental needs, no matter where they live."

I am in agreement with this, signed by some 40 people of the Ottawa area, and have affixed my signature thereto.

##### COMMUNITY HEALTH CENTRES

**Mr. Bob Delaney (Mississauga West):** I'm pleased to assist my colleague from Haliburton-Victoria-Brock in reading this petition on the funding of a community health centre in Brock township. Further, I congratulate the member on the passage of Bill 216, An Act to amend the Apprenticeship and Certification Act, on which I have read petitions myself in the past. I also want to thank Stacey, Kate and Raquel Farrington of Simcoe Street for this petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas Brock township has been declared an underserved area by the Ministry of Health with respect to physician services since 1996;

"Whereas the Ontario government announced the creation of 150 family health teams, just like the community health centre in the spring budget;

"Whereas a CHC in Brock township could provide a range of community-based health and social services provided by a multidisciplinary team including physicians, nurse practitioners, nutritionists, health promotion coordinators, social workers, counsellors and other health professionals needed in our local" Brock "community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Brock CHC proposal submitted on February 27, 2003, be funded as recommended by the district health council."



I'm pleased to sign this and to ask Alexander to carry it for me.

#### PUBLIC TRANSIT TAX CREDIT

**Mr. John O'Toole (Durham):** It's a privilege to present a petition to the Legislative Assembly of Ontario.

"Whereas public transit is an important public good for Ontario which must be promoted;

"Whereas increased ridership of the public transit system will result in benefits such as the reduction of greenhouse gas emissions and the ease of traffic congestion and gridlock;

"Whereas it is important to provide incentives to commuters to choose public transit as an alternative,

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows: that eligible residents for the taxation year living within the province of Ontario be able to claim on their income tax an expense credit of" up to "50% for all public transit expenses incurred throughout the taxation year."

I encourage members to support Bill 137 from the MPP for Durham.

#### TFO

**M. Gilles Bisson (Timmins-Baie James):** J'ai ici une pétition signée par beaucoup de gens du nord-est de l'Ontario. C'est une pétition en faveur de maintenir le financement de base pour la TFO.

« Attendu que TFO est un instrument indispensable de développement de la communauté franco-ontarienne;

« Attendu que la programmation et les ressources éducatives de TFO constituent un appui essentiel à l'enseignement dans les écoles franco-ontariennes;

« Attendu que le Parti libéral s'est engagé, dans son programme électoral, à poser des gestes concrets pour favoriser le développement de la collectivité francophone de l'Ontario et à soutenir la croissance et l'autonomie de TFO;

« Nous, les soussignés et soussignées, demandons au gouvernement ontarien de maintenir, voire d'augmenter, le financement de base de TFO et d'accorder à TFO son autonomie par la création, dans les plus brefs délais, de son propre conseil d'administration dont tout le monde tous les membres parlent français. »

C'est signé par du monde à travers le nord-est de l'Ontario. J'aimerais remercier M. Stewart Kiff de m'avoir assisté avec cette pétition.

#### WEARING OF HELMETS

**Mr. John Milloy (Kitchener Centre):** I have a petition in support of Bill 129. It reads:

"To the Legislative Assembly of Ontario:

"Whereas each year tragedy strikes cyclists, in-line skaters, skateboarders etc. who are involved in collisions on our roadways;

"Whereas many of these involve injury to the head;

"Whereas the cost of treating an individual with a severe head injury can be \$4 million to \$9 million over the course of their lifetime;

"Whereas wearing a certified helmet can prevent 85% of head injuries;

"We, the undersigned, petition the Legislative Assembly to swiftly pass Bill 129 and make it mandatory for all individuals to wear a certified helmet when cycling, in-line skating, skateboarding or using any other type of muscular-powered vehicle on Ontario's roadways."

Of course, I support this petition.

#### CREDIT VALLEY HOSPITAL

**Ms. Laurie Scott (Haliburton-Victoria-Brock):** I would like to present this petition on behalf of the member from Mississauga West. The petitions were sent to him by Tom Glover of Joymar Drive in Streetsville.

"Credit Valley Hospital Capital Improvements:

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fundraising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H block at Credit Valley Hospital to ensure that the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I'd like to hand this petition over to Alexander.

#### PENSION PLANS

**Ms. Andrea Horwath (Hamilton East):** This petition was signed by people from Oshawa, Ajax, Guelph, Whitby, Scarborough, Bowmanville, Port Hope, Chatham, Exeter, Tillsonburg, North Bay, many communities which are calling for pension reform.

"To the Legislative Assembly of Ontario:

"Whereas it has been more than 15 years since the last significant reform of Ontario's pension laws;

"Whereas the New Democratic Party believes that all Ontarians who have worked hard all their lives should be able to live out their retirement years with dignity and security;

"Whereas the fact that 60% of Ontarians are not covered by a workplace-based pension plan of any kind is simply unacceptable;

"Whereas the fact that 83% of workers in the private sector who do have pensions have absolutely no inflation protection and will inevitably see their pension benefits seriously eroded over their retirement period; and

"Whereas Ontario's pension backup, the pension benefits guarantee fund, only guarantees benefits up to \$1,000 a month and excludes multi-employer plans; and

"Whereas pension plan members now have to wait two full years before they are able to take the employer's contributions to their plans with them if they leave;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately establish a special legislative committee to examine pension issues and recommend real reforms to protect pensions and ensure all Ontarians dignity and security upon retirement.

"To support a plan of meaningful pension reform as proposed by Howard Hampton and the NDP whereby:

"All plan members receiving benefits under a defined benefit pension plan in Ontario would receive some inflation protection;

"The pension benefits guarantee fund would be increased to \$2,500 a month and multi-employer plans would be covered as well;

"Members would have immediate ownership over all contributions to their plan; and

"Measures would be taken to increase the proportion of workers covered by workplace-based pension plans."

I agree with this petition. I've signed it and send it down by way of Misha. Thank you, Misha.

#### CREDIT VALLEY HOSPITAL

**Mr. Jeff Leal (Peterborough):** I have the pleasure today to introduce a petition on behalf of Ms. April Erwin, who lives at Unit 2, 12 Peel Ave in Brampton, Ontario, L6W 1X2. It's regarding the Credit Valley Hospital capital improvement program.

"Whereas some 20,000 people each year choose to make their home in Mississauga, and a Halton-Peel District Health Council capacity study stated that the Credit Valley Hospital should be operating 435 beds by now and 514 beds by 2016; and

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"Whereas the Credit Valley Hospital bed count has remained constant at 365 beds since its opening in November 1985, even though some 4,800 babies are delivered each year at the Credit Valley Hospital in a facility designed to handle 2,700 births annually; and

"Whereas donors in Mississauga and the regional municipalities served by the Credit Valley Hospital have contributed more than \$41 million of a \$50-million fund-

raising objective, the most ambitious of any community hospital in the country, to support the construction of an expanded facility able to meet the needs of our community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care undertake specific measures to ensure the allocation of capital funds for the construction of A and H blocks at Credit Valley Hospital to ensure the ongoing acute care needs of the patients and families served by the hospital are met in a timely and professional manner, to reduce wait times for patients in the hospital emergency department, and to better serve patients and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

I will attach my signature to this very worthy petition.

#### VOLUNTEER FIREFIGHTERS

**Mr. Ted Arnott (Waterloo-Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and

"Whereas the Ontario Professional Fire Fighters Association has declared their intent to 'phase out' these double-hatter firefighters; and

"Whereas double-hatter firefighters are being threatened by the union leadership and forced to resign as volunteer firefighters or face losing their full-time jobs, and this is weakening volunteer fire departments in Ontario; and

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

I want to thank the folks at the township of Wellington North for circulating this. Of course it has my support as well, and I've affixed my signature.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** "Whereas during the 2003 election campaign, Dalton McGuinty promised to establish a standing committee on education to ensure transparency in education funding; and



"Whereas such a committee has not been established; and

"Whereas Ontario's education system is not properly funded and there is no transparency in funding,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately establish a standing committee on education to hold public hearings every year on the effectiveness of education funding."

I will sign this petition because I agree with it wholeheartedly.

### TEACHER QUALIFICATION

**Mr. Peter Fonseca (Mississauga East):** "To the Legislative Assembly of Ontario:

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will have met all the requirements of the individual faculties; and

"Whereas these same publicly funded faculties of education in the province of Ontario have all met the stringent standards as outlined and controlled by the Ontario College of Teachers; and

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will be placed at a severe disadvantage if they are given a provisional certificate of qualification by the Ontario College of Teachers,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To make the changes necessary to the Education Act and/or its regulations in order to grant the 2005 graduates of the publicly funded faculties of education in the province of Ontario a permanent certificate of qualification, or to deem that the Bachelor of Education degree granted to 2005 graduates of the publicly funded faculties of education in the province of Ontario deems them to have completed the equivalent of the Ontario teacher qualification test, thus allowing the Ontario College of Teachers to grant these same graduates a permanent certificate of qualification."

### VOLUNTEER FIREFIGHTERS

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** I thought maybe I wasn't to get one there, and I'd have to hurry mine, but I will anyway, since nothing's been done with this.

"To the Legislative Assembly of Ontario:

"Whereas many volunteer fire departments in Ontario are strengthened by the service of double-hatter firefighters who work as professional, full-time firefighters and also serve as volunteer firefighters on their free time and in their home communities; and"—to make things short, Mr. Speaker, I'll just read the important whereases.

"Whereas Waterloo-Wellington MPP Ted Arnott has introduced Bill 52, the Volunteer Firefighters Employment Protection Act, that would uphold the right to

volunteer and solve this problem concerning public safety in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the provincial government express public support for MPP Ted Arnott's Bill 52 and willingness to pass it into law or introduce similar legislation that protects the right of firefighters to volunteer in their home communities on their own free time."

I have also signed this.

### ORDERS OF THE DAY

#### LABOUR RELATIONS STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS CONCERNANT LES RELATIONS DE TRAVAIL

Resuming the debate adjourned on May 18, 2005, on the motion for third reading of Bill 144, An Act to amend certain statutes relating to labour relations / Projet de loi 144, Loi modifiant des lois concernant les relations de travail.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to the order of the House dated Thursday, June 9, 2005, I'm now required to put the question.

Mr. Bentley has moved third reading of Bill 144, An Act to amend certain statutes relating to labour relations. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1545 to 1555.*

**The Deputy Speaker:** All those in favour, stand one at a time and be recognized by the Clerk.

#### Ayes

|                        |                     |                     |
|------------------------|---------------------|---------------------|
| Arthurs, Wayne         | Fonseca, Peter      | Patten, Richard     |
| Bentley, Christopher   | Gerretsen, John     | Peters, Steve       |
| Berardinetti, Lorenzo  | Gravelle, Michael   | Phillips, Gerry     |
| Bountrogianni, Marie   | Hoy, Pat            | Pupatello, Sandra   |
| Bradley, James J.      | Jeffrey, Linda      | Qaadri, Shafiq      |
| Brotten, Laurel C.     | Kennedy, Gerard     | Ramal, Khalil       |
| Brown, Michael A.      | Kular, Kuldeep      | Ramsay, David       |
| Brownell, Jim          | Lalonde, Jean-Marc  | Rinaldi, Lou        |
| Bryant, Michael        | Leal, Jeff          | Ruprecht, Tony      |
| Cansfield, Donna H.    | Levac, Dave         | Sandals, Liz        |
| Caplan, David          | Marsales, Judy      | Sergio, Mario       |
| Chambers, Mary Anne V. | Matthews, Deborah   | Smith, Monique      |
| Colle, Mike            | Mauro, Bill         | Smitherman, George  |
| Cordiano, Joseph       | McMeekin, Ted       | Sorbara, Gregory S. |
| Delaney, Bob           | McNeely, Phil       | Van Bommel, Maria   |
| Dhillon, Vic           | Meilleur, Madeleine | Watson, Jim         |
| Di Cocco, Caroline     | Millroy, John       | Wilkinson, John     |
| Dombrowsky, Leona      | Mitchell, Carol     | Wong, Tony C.       |
| Duguid, Brad           | Mossop, Jennifer F. | Wynne, Kathleen O.  |
| Duncan, Dwight         | Oraziotti, David    | Zimmer, David       |
| Flynn, Kevin Daniel    | Parsons, Emie       |                     |

**The Deputy Speaker:** All those opposed, stand one at a time and be recognized by the Clerk.

**Nays**

Arnott, Ted  
Baird, John R.  
Bisson, Gilles  
Chudleigh, Ted  
Churley, Marilyn  
Flaherty, Jim  
Hampton, Howard  
Hardeman, Ernie

Horwath, Andrea  
Klees, Frank  
Kormos, Peter  
Marchese, Rosario  
Martel, Shelley  
Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Tascona, Joseph N.  
Wilson, Jim  
Witmer, Elizabeth  
Yakabuski, John

Bradley, James J.  
Broten, Laurel C.  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Chambers, Mary Anne V.  
Churley, Marilyn  
Colle, Mike  
Cordiano, Joseph  
Delaney, Bob  
Dhillon, Vic  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel

Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Kular, Kuldip  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Marchese, Rosario  
Marsales, Judy  
Martel, Shelley  
Mathews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Oraziotti, David

Pupatello, Sandra  
Qaadri, Shafiq  
Ramal, Khail  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandra, Liz  
Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sorbara, Gregory S.  
Takhar, Harinder S.  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 62; the nays are 23.

**The Deputy Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr. Speaker: I believe we have unanimous consent to allow the House to meet beyond 6:00 p.m. today to complete certain business.

**The Deputy Speaker:** Agreed? Carried.

### ELECTION STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Bryant moved second reading of the following bill:

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / *Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.*

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Bryant?

Is there any debate?

**Mr. John R. Baird (Nepean–Carleton):** I fear that much of this bill is unconstitutional and will be judged accordingly.

**The Deputy Speaker:** Questions and comments?

There being none, further debate? Does any member wish to debate?

Mr. Bryant has moved second reading of Bill 214. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1601 to 1603.*

**The Deputy Speaker:** All those in favour, please stand one at a time and be recognized by the Clerk.

**Ayes**

Arthurs, Wayne  
Bentley, Christopher  
Berardinetti, Lorenzo  
Bisson, Gilles  
Bountrogianni, Marie

Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hampton, Howard  
Horwath, Andrea

Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Prue, Michael

**The Deputy Speaker:** All those opposed, please stand and be recognized by the Clerk.

**Nays**

Arnott, Ted  
Baird, John R.  
Chudleigh, Ted  
Flaherty, Jim  
Hardeman, Ernie

Klees, Frank  
Murdoch, Bill  
O'Toole, John  
Ouellette, Jerry J.  
Runciman, Robert W.

Scott, Laurie  
Witmer, Elizabeth  
Yakabuski, John

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 69; the nays are 13.

**The Deputy Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I would ask that the bill be referred to the standing committee on the Legislative Assembly.

**The Deputy Speaker:** The bill is accordingly referred to the standing committee on the Legislative Assembly.

### ELECTION AMENDMENT ACT, 2005 LOI DE 2005 MODIFIANT LA LOI ÉLECTORALE

Mr. Bryant moved second reading of the following bill:

Bill 213, An Act to amend the Election Act, 2005 / *Projet de loi 213, Loi modifiant la Loi électorale.*

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Bryant?

**Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I have spoken to this issue previously in this House. This bill will permit the Chief Election Officer to do by statute what he currently is not able to do. This will be a very, very important step in the direction of election reform and political finance reform.

As I have spoken to this before, I think this House would probably rather hear from my great parliamentary assistant, the member for Bramalea–Gore–Malton–Springdale. I'm sharing my time with him.

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** I'm very pleased to take part in second reading of Bill 213—



**Mr. Gilles Bisson (Timmins–James Bay):** On a point of order, Mr. Speaker: I think we have unanimous consent to divide the time equally—15 minutes—between each party.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** That was not my understanding.

**The Deputy Speaker:** I'm not part of those discussions; I'm sorry.

The member for Bramalea–Gore–Malton–Springdale has the floor.

**Mr. Kular:** I am pleased to participate in second reading debate of Bill 213, the Election Amendment Act, 2005, put forward by the minister responsible for democratic renewal.

This bill, if passed, will allow us to move forward with the establishment of a citizens' jury on political finance reform and a citizens' assembly on electoral reform and will give Ontarians a more direct say in important government decisions than they have ever had before.

This bill will enable Elections Ontario to access the permanent register of electors so that people can be selected to take part in either the jury or the assembly.

The citizens' jury will look at reducing the influence of money in politics. We are inviting Ontarians to participate in the discussion on political finance reform. This is their democracy, so they should be involved in making decisions about how political parties and election campaigns are funded.

The citizens' assembly will look at whether Ontario should keep its first-past-the-post electoral system or change how Ontarians elect their MPPs to this House. If the assembly recommends change, Ontarians will decide the issue in a provincial referendum to be held within our mandate.

The issue of electoral reform is being examined across Canada. Both PEI and New Brunswick formed commissions on electoral reform and legislative democracy. Quebec has created a secretariat for the reform of democratic institutions. Most recently, British Columbia held a province-wide referendum on a new electoral system, called the single transferable vote, on May 17, 2005.

Here in our province, we want to bring the debate on political finance and electoral reform directly to the people. Ontario's electoral system belongs to Ontarians, not to elected officials or appointed commissions. So we are asking Ontarians to decide for themselves how our political system should work and how they want to elect MPPs here to Queen's Park. No government in this province has ever given citizens this kind of opportunity. This bill, if passed, will give the people of Ontario the chance to have their say on the role of money in politics and electoral reform.

1610

Participation in the citizens' jury or the citizens' assembly will be voluntary. People whose names are selected from the register will first be contacted by Elections Ontario. Those who agree to become candidates may then be selected to sit on either the jury or the

assembly. Both bodies will be reflective of Ontario's diversity.

This bill reflects one of the central tenets of our democratic renewal agenda: the need to build a more positive and productive relationship between citizens and their elected representatives and to give citizens an opportunity to have a meaningful impact on important issues. Together, we will make our democracy stronger. So I ask all members on both sides of the House to support this bill.

**The Deputy Speaker:** Questions and comments?

**Mr. Robert W. Runciman (Leeds–Grenville):** I want to express our lack of support for this legislation in the Progressive Conservative Party. This is a suggestion that we made with respect to this legislation and the proposal we made for the establishment of a select committee to take a look at a number of these issues surrounding proportional representation and the form of government in the province of Ontario. One of the issues that we felt should be part of the mandate of the select committee was looking at the terms of reference for the selection of citizens' juries and the role that citizens' juries were going to play. That's not a position that won the day. Regrettably, the government has opted to hive that section out of the legislation. It's being referred to the standing committee and the area that's going to be looked at by a select committee. That's a concern to us because this government gets up with grand words prior to the election and subsequently talks about the role of backbenchers and enhancing the role of members of this assembly, but their actions tend to contradict their words. What we see in this situation is another stark example of that.

If you take a look at one situation that we have to refer to in Canada, and that's the British Columbia experience, in British Columbia, the government chose to bring the terms of reference for the citizens' assembly to the Legislature. So there was a full debate with respect to the role that the citizens' assembly in British Columbia would play in this process. The Liberal government of Ontario has instead chosen a different route.

To me, it fuels the degradation of the role that we as individual members play, whether we're sitting on the government side as backbenchers, who tend to be just yes-men and yes-women who stand up when they're told to stand up by the whip, and in fact get in here and read the questions prepared by the ministers or, by rote, read the speeches prepared by some ministerial staff—that's their role. They don't have a role to play in terms of significant interchange in this place. Traditionally, they read from prepared notes or read prepared questions. That's just the government side. The opposition side—I've been back and forth on both sides of the aisle, and we see the contempt shown for members of the opposition here on a daily basis. If you attend question period, you witness what we believe are very meaningful, important questions that we pose to members of the executive council on a daily basis. What do we get in return from the members of cabinet? Non-answers, accu-

sations, charges against the opposition. Very rarely—there are a few exceptions to this; I'll grant you that—do we get any substantive or meaningful responses to legitimate questions posed by both the official opposition and the third party.

That just fuels our cynicism and, I think, the cynicism and skepticism of the public about this process. We're worried about this process and the role that the citizen jurors are going to have to play here without any input whatsoever by the elected members of this assembly. What message does that send out to the public at large with respect to the role of members? It reinforces that well-known Liberal Pierre Trudeau's view of members of Parliament. He said that once they walk 100 feet away from this place, they're nobodies. That's what this government is doing by refusing to allow us, as members of the assembly, to play any role whatsoever with respect to the terms of reference and the role and responsibilities of the citizens' jury. That is a serious concern of ours.

We had concerns about the other legislation; that's why we spoke against it. We were prepared to support continuing to have 11 members representing the north, but we felt very strongly that there should be a boundaries commission for the province of Ontario. This is the first time in memory that we've gone ahead with a redistribution without a boundaries commission. My colleague felt that that would create future legal problems. We will continue to oppose that, and we will vote against this legislation as well.

**M. Bisson:** I know my colleague M<sup>me</sup> Churley also wanted to speak on this. She's going to be up here momentarily.

Je veux dire très vite une couple de points faisant affaire avec cette législation.

Comme j'ai dit plus tôt dans le débat qu'on a eu ici à l'Assemblée sur le projet de loi précédant, la question est, si on veut mettre en place un nouveau système électoral, c'est quoi le processus?

Le problème que j'ai avec cette législation, c'est que le gouvernement s'organise pour se retirer du processus jusqu'à une grande partie faisant affaire avec cette proposition de ce qu'on appelle « constituant assemblies ». Est-ce que le public a besoin d'être consulté? Mais oui, ça va sans dire. Est-ce que le public a besoin de faire partie du processus? Mais oui, c'est sans dire. Mais le problème avec cette législation, quant à moi, c'est que le gouvernement s'organise pour avoir un processus où, à la fin de la journée, ils auront le résultat final qu'ils veulent. C'est un peu ce qu'ils ont fait en Colombie-Britannique : amener un modèle qui est, premièrement, pas mal impossible à supporter, et deuxièmement, d'avoir une situation où le processus pour changer le système électoral est assez compliqué et difficile que le public, même s'ils le veulent par majorité, ne peuvent pas le changer. C'est un peu ça qu'on a vu en Colombie-Britannique, où, je pense, 50 % ou plus de la population a voté en faveur de changer le système électoral, mais il fallait 60 % du vote pour être capable de changer le système électoral.

Moi, je crois que si on veut changer le système électoral, c'est à cette Assemblée de prendre la décision. C'est aux députés dans cette Assemblée d'avoir un vote. Comme sur toute autre matière devant cette Assemblée, c'est nous autres qui avons besoin de nous prononcer. Est-ce qu'on veut consulter? Mais oui. On a des comités législatifs qui sont là pour exactement cette raison, pour donner la chance au public d'être consulté, pour que le public puisse nous dire leurs pensées. Moi, je crois qu'à la fin de la journée, si on va changer le système électoral, on doit mettre en place un comité spécial qui se penche sur la question de donner l'information à cette Assemblée pour que nous autres puissions faire notre décision. Dans ce processus, on a besoin de demander une couple de questions.

#### 1620

Est-ce que le système actuel représente vraiment la démocratie comme on veut l'avoir? Si oui ou sinon, quels sont les autres modèles qui sont disponibles—un autre modèle, comme on le sait, c'est la représentation proportionnelle—et quel modèle est-ce que le comité recommanderait pour être capable de le mettre en place? Je crois qu'on doit faire ça à la première lecture : introduire un projet de loi qui est assez vague pour donner la chance au comité après la première lecture de vraiment faire une consultation publique, comme on a fait dans le temps de Bob Rae avec le comité constitutionnel, qui s'est promené autour de la province et qui a consulté et recherché ce qu'on voulait avoir comme proposition.

Une fois que le comité s'est penché sur tous les aspects qui ont été amenés par le public dans le processus du comité, dans les consultations publiques, qu'on revienne après ça au comité, qu'on se penche sur le travail et qu'on fasse des recommandations concrètes pour que le gouvernement puisse amender son projet de loi après la première lecture et le processus de consultation au comité. Qu'on amène ensuite le projet de loi à la deuxième lecture et qu'on ait un débat. On a encore la chance de retourner au comité après la deuxième lecture. Mais le point final, c'est la troisième lecture ici à l'Assemblée, et ce sont les députés qui font la décision.

Est-ce qu'on envoie notre budget au referendum? Est-ce qu'on envoie l'amalgamation de nos communautés au referendum? Est-ce qu'on envoie d'autres matières qui sont de juridiction provinciale au referendum? Mais non. On fait des votes ici à l'Assemblée. C'est ça le point que je voulais faire dans le débat : oui, on a besoin de changer notre système électoral; oui, un système de représentation proportionnelle fait du bon sens. Mais, à la fin de la journée, je crois sincèrement que ce processus doit être fait par les députés de cette Assemblée.

With that, I know my good friend Marilyn Churley has things she would like to say on this particular debate. I've put my comments on the record and I look forward to the time on the committee.

**The Deputy Speaker:** Are you sharing your time? No? OK. Questions or comments?

**Mr. John R. Baird (Nepean—Carleton):** I want to speak to this bill because I think it's an important one.



We have a long agenda here at Queen's Park today of bills to pass. I suspect we might be here as long as 10 minutes after we deal with this piece of legislation. I know some people want to go home early and don't want to debate the issues of the day, but this is important and I want to stand and raise some concerns for this bill. I'm sorry if that doesn't sit well with the government House leader.

I look at this bill, and what this bill is really saying is that MPPs can't be trusted, that this issue is an important one and that the residents of Kingston and the Islands, the residents of Oak Ridges and the residents of Toronto-Danforth need someone to represent them, and their MPPs are incapable—that it's not appropriate, that they are self-interested, that they don't have the capacity to consider a piece of public policy and to respond and to be accountable for it.

All of us in this House, all parties, all members, at one time or another have engaged in what I call legislative self-flagellation. What we want to do is run down politics or run down those who practise it, run down the capacity of hard-working men and women to stand for office and make a contribution, to be able to represent those who sent them here—whether it's in terms of representation, whether it's a matter of fairly considering the broader public interest, whether it's considering submissions from their constituencies and from the public, reflecting on issues that are before us, that somehow members of provincial Parliament in this place are incapable of doing that.

I am no angel in that regard. I have participated in that over the years. I certainly acknowledge that. But last week I, along with many members, perhaps 10 members in our caucus and another 10 on the government side, celebrated 10 years of being elected here. After 10 years of engaging in repeated self-flagellation of the profession in which we serve, I simply don't want to do it any more. I think it's wrong; I think it degrades politics. All political parties have been part of that, and I simply don't want to participate in it any more. I think it's wrong. Beating up on politics, our own profession, causes us a great deal of concern.

#### *Interjection.*

**Mr. Baird:** I say to the member for Ottawa West-Nepean that this is a very important issue and I look forward to learning his comments and those of his constituents. I have listened a lot to the constituents of the member for Ottawa West-Nepean. Some members are very parochial and only consider the interests of people in their own ridings. Others, the member for Toronto-Danforth being one, want to look at a broader regional cross-section of issues of concern.

I look at this piece of legislation, what it does to the role of Parliament, what it does to the role of the Legislature. Members in this place have a mandate to serve. They have a responsibility to educate themselves on the salient issues before this place, to consider public interest and input, to make informed judgments and to be accountable for the decisions they make.

I want to quote some of the legislation that we're debating today: "The bill makes amendments to the Election Act to authorize the selection of representative bodies of electors to consider" an important matter of public policy. Well, what the heck do people send members of provincial Parliament to this place to represent? I look at some of the members opposite. I look at the member for Chatham. I say that he is more than capable of considering an important issue of public policy in this regard. I look at the member for Timmins-James Bay. The people in his constituency sent him here to represent them.

This tries to seek a parallel process to Parliament, which I take great offence at. I think it's frankly wrong. It authorizes the selection, somehow making it akin to an election campaign, to serve. I take great issue with this, because the people of Ontario once every four years have an opportunity to select a government, to select a legislator. This authorizes what can be called nothing more than a lottery, that would be conducted by the Chief Election Officer. Why bother having elections? Why couldn't we simply do a public opinion poll and send the results in to the Clerk of the Legislature? We wouldn't have to sit here. We wouldn't have to debate these public policy issues. We could simply have a lottery for people to decide various issues. I take great offence to that. Drawing names from a permanent register, a voters' list, is what it says. That's just wrong. MPPs were selected by the public and they weren't selected in any process of a lottery. They were selected after a 30-day campaign, they were selected after four years of governing, to represent the public, the people they serve.

Under this piece of legislation, you're going to see a public servant who will basically conduct a lottery on who will serve on the citizens' juries and then will submit names to a minister of the crown. So this is just a complete usurping of Parliament and of the legislative process, and I take great offence at it.

The federal Parliament has looked at citizens' juries—a federal Liberal government. Don Boudria, a well-respected member of Parliament who has served in this place and on Parliament Hill, served on that committee, and they did not recommend that we have citizens' juries recommending the affront to Parliament.

The worst part of it all, though, is that when this lottery takes place, it now goes to a member of the cabinet to describe, totally usurping this process.

#### **1630**

What will the eligibility criteria for these citizens' juries have in mind? What will it do with respect to regional representation to say the values and principles of people in the city of Ottawa would be demonstrably different than they would be in northern Ontario? We don't elect New Democrats—or haven't for many years—in Ottawa, but they do in the north, they do in the city of Toronto.

We have no idea with this lottery what the prescribed eligibility criteria will be. They will be settled not in this chamber but down the hall in the cabinet room behind closed doors, where there will be no input from any

members of Parliament, other than those who serve on the executive council. I would like to know what those eligibility criteria are. Will they be geographic? Will they be gender-based? Will they be racially based? Will they be politically based—some from the left, some from the right—and how will they do that? What they will allow—

**Hon. Greg Sorbara (Minister of Finance):** Sit down.

**Mr. Baird:** Sit down? I'm sorry. If the member opposite doesn't want to hear the debate on this, you shouldn't—

**Hon. Mr. Bryant:** No, he didn't say that.

**Mr. Baird:** He said, "Sit down."

**The Deputy Speaker:** I feel a little left out. Please, your remarks through the Chair.

**Mr. Baird:** If they don't want to hear the debate, they shouldn't call the legislation for debate. This is the only opportunity we will have—

**The Deputy Speaker:** Member for Nepean—Carleton, you heard me?

**Mr. Baird:** This is the only opportunity—I don't have to look at you, Speaker.

**The Deputy Speaker:** I'm not going to argue with you. I would just like your comments through the Chair.

**Mr. Baird:** I didn't direct them at anyone other than you, sir.

**The Deputy Speaker:** Continue.

**Mr. Baird:** They are not required to come to Parliament and to suggest to us what these criteria should be.

Let's look at the legislation, section 17.8: "(a) provide that the minister shall assemble a representative body of electors"—the minister; is that the Legislature? Is that the cabinet? Now we find out it is no longer even fully the cabinet in general, but the minister—"to consider specified matters relating to reform ... ." What are those issues? Again, other than a broad mandate, we don't know.

And where will the accountability be for this? If someone disagrees with the way a member of Parliament votes on a particular issue, takes a stand on a particular issue, they have recourse. They have recourse in the court of public opinion and they have recourse on election day. But these citizens' juries will have none of that. The legislation allows the Chief Election Officer, who will become nothing more than a bingo master, a chief lottery officer, to enter into a memorandum of understanding with the minister. Will that come before Parliament? No. On this tremendously important issue, it is hived off to a member of the executive council with no input from members of Parliament.

The joke of this is—and I'm talking about paragraph 1 of section 17.9—"The Chief Election Officer shall draw from the permanent register of electors a number of names that is large enough, in his or her opinion, to compose a pool of sufficient size for the purposes of" this legislation.

Again, we have no inkling, no understanding, nothing as to what criteria they will use. They could be demographic criteria, they could be ideological criteria, they

could be geographic, they could be gender. We just don't know. Again, I take great issue with this.

Furthermore, on page 3, going on to paragraph 4 of the same section, "prescribed eligibility criteria" is talked about. "Prescribed." That will be made down the hall by the Lieutenant Governor in Council. There will be no input by members of Parliament. It's becoming, with the amount, in all parties—the New Democratic Party was guilty of it, the Conservative Party was guilty of it, this Liberal Party is guilty of it. More and more power is going down the hall to the Lieutenant Governor.

In Texas, the Legislature sits about eight weeks every two years, I think. I'm beginning to think that eight weeks every two years in Ontario might be too much, if some would have their way, whether it's in the bureaucracy of government, whether it's in the political actors in government. That might be just about seven and a half weeks too long for some.

The best part of it is, don't worry, there will be a role for members of Parliament in this. Under section 17.13, don't worry, a report will be tabled at the Clerks' table. After we vote on this bill, that will be just about it for the input of members of Parliament in this process.

This bill seeks to establish virtually a second Legislature, because those of us who serve in this one obviously can't be trusted to do the right thing. I think that is bad news.

They want to table a report before the Legislature. I say to you, big, big deal.

I take great issue with this bill. No amount of accountability for electors, and that is wrong. After 10 years, I'm standing up to defend a role for legislators, for parliamentarians in this process. I strongly support it. What this is seeking to do is to degrade the role of legislators, to degrade the role of parliamentarians, to say that somehow we are too self-interested and can't be trusted. If some have that view, perhaps they shouldn't serve, they shouldn't re-offer at the appropriate time, because if they can't—if Parliament can't consider this in consultation with the public, as we do on many pieces of legislation, in consultation with our constituents.

I know the member for Niagara Centre goes back to his constituency every week to consult his electors. If people in Niagara Centre disagree with their member, they can tell him so, and every so often they have the opportunity to pass judgment on him and throw him out of office or send him back for more. Of course, the people in Niagara Centre have chosen to send that member back for more, or they could say that they've chosen to send him back to give us more, which we take with some consternation.

I really feel strongly that citizen juries are an abomination to Parliament, are an abomination to the democratic process. Surely to goodness there's got to be a bigger role for Parliament than to simply have at the end of the day their report to be tabled before the House. Parliament can consider these issues and we can be accountable for them.

**Mr. Peter Kormos (Niagara Centre):** That's why we're paid the big bucks.



**Mr. Baird:** That's why we're paid the big bucks. I don't know how big the bucks are, but that's why we accept the responsibility to make these decisions.

It's with regret that I see this bill come before this House, to be voted upon later in the afternoon, because I think it really—

**Mr. Khalil Ramal (London-Fanshawe):** It's a very important bill.

**Mr. Baird:** It's a very important bill. What the bill says, to the member for London-Fanshawe, is you can't be trusted. We need to find someone else—

**The Deputy Speaker:** The member for Nepean-Carleton, again: Rather than speak directly to the member for London-Fanshawe, I would appreciate it if you would direct through the Chair.

**Mr. Baird:** I directed all my remarks through the Chair, Speaker. I was speaking in the third person, not in the first person.

What this bill says—

*Interjections.*

**Mr. Baird:** This is what Parliament becomes. I'm not going to go there.

I take great issue with some of the roles that legislators can assume in this place. We saw another example today in question period, I say to the member from Niagara. In response to the member for Kenora-Rainy River, the leader of the third party, a cabinet minister said that he was misleading. The Speaker at that time, speaking to the role of citizens' jury, wasn't even going to rise and say it was out of order. Not until there was some heckling—that we have to rewrite the rule book once again—did the Speaker rise.

I was disappointed. The big disappointment I have in this Parliament is the member for Niagara Centre. I have a tremendous disappointment in him that he didn't call a motion that he's got before the Legislature for debate. We could have had a vote on it.

**Mr. Kormos:** There's still time.

1640

**Mr. Baird:** There's still time, he says. It was done by lottery and he didn't call that member. I think he's getting soft in his old age, I say to the member for Niagara Centre.

I was speaking of the constituents of London-Fanshawe. The constituents of London-Fanshawe obviously can't trust their member. They've got to have someone picked out from this lottery to represent them. Who it will be, I don't know, or what criteria will be used to select a representative for the people of London-Fanshawe. What this bill says is that the people of London-Fanshawe can't be represented by their member of Parliament. What it says is that they need someone else to represent them, because the member for London-Fanshawe is obviously incapable of doing that. That would equally be the case for the member for Brampton, a member from Toronto or the member for Bruce-Grey-Owen Sound. This is something that causes me tremendous concern. The constituents of Bruce-Grey-Owen Sound may agree or disagree with the member, but at

least he's accountable. What this bill seeks to do is to say that that member can't be trusted to undertake his responsibilities.

*Interjections.*

**Mr. Baird:** The member for London-Fanshawe wants to talk about polls. There will be polls that go up and polls that go down. At the end of the day, the people of Ontario, through their elected representatives, will make the ultimate decisions. What this bill says is that the member for London-Fanshawe, the member for Toronto Centre-Rosedale, the member for Toronto-Danforth and the member for Bruce-Grey-Owen Sound can't be trusted to undertake their responsibilities. If we have to go through some sort of lottery—maybe they'll get one of those bingo—what do you call those?—a bingo bowl, where they roll out the numbers: Under the B, 9. Maybe they'll use a bingo. To us, that's a concern.

The member for Perth-Middlesex is here; I suspect he's going to be in the cabinet soon as the Minister of Agriculture. I know it's a position he has been lobbying very hard for, and I for one, if the Premier is watching, would like to see the member become the Minister of Agriculture. He would be very good in that role. I think the member for Perth-Middlesex could also contribute to this debate and offer the concerns of his constituents. But regrettably, under this scenario, he will not have that opportunity, because what this legislation says is that the member for Perth-Middlesex cannot be trusted to undertake his responsibilities.

I will be voting against this piece of legislation. I think it's an affront to Parliament. I think it's more self-flagellation in a system that has had far too much. I think we should use ballots, not bingo cards, to choose those who will govern the province and the country. This legislation goes in the exact opposite direction, which is unfortunate.

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** In the two minutes that I have, I have concerns about what is going on here today. This looks to me like a bill that is being rammed through the House, getting second and third readings today. From what I'm seeing, it looks like we're not supposed to debate it. This is unfortunate, because this is a bill that I think a lot of members here should look at very seriously. If you listen to the member who just spoke, it is taking away the democratic right of the members here in this House.

I can't understand what is actually going on. I have not been briefed on this bill; maybe I missed it. I'll be the first to say that I don't get all the briefings, but I haven't heard anything on this. All I see is that somebody has made a deal in a backroom to put this bill through. I think the Liberals themselves should be very concerned about this.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** That doesn't happen.

**Mr. Murdoch:** Well, it has happened. I was handed a piece of paper when I came in here today, and this bill is on there and it says we're going to have second and third readings, basically without any debate. So something has

gone on here. I understand the government wants to get some of their bills through, and I have no problem with that. But this is a bill we've never debated at all in the House. We've had no debate on it.

It takes a lot of powers away from elected politicians, Mr. Speaker—from you yourself as an elected politician. They may decide in your area that you're not the person they want to send for some group. The minister can pick his group—it doesn't really say how they're going to be picked. It says “at random,” but is it going to be like the bingo hall, where everybody will get a number and we'll pick B-10, whoever that happens to be?

This is very serious. I think that since the government is going to hold some bills over, this might be one that should be held over. I think the way it's set up right now is undemocratic. There's something wrong. I notice the Liberals aren't saying a heck of a lot about this.

**Mr. John Yakubuski (Renfrew–Nipissing–Pembroke):** I too want to comment on the address by the member from Nepean–Carleton on this particular bill. I think the points he raised are very valid.

As a member of this Legislature, I believe that I have been elected to represent the people of Renfrew–Nipissing–Pembroke in this Legislature on matters of government policy, on bills that come before the Legislature and all such business and all such responsibilities of an elected member, and this bill would seek to diminish that. If I'm not doing my job as the elected member for Renfrew–Nipissing–Pembroke, the people have every right, and I hope they exercise that right, to throw me out of office, because that would be exactly what I deserve. But I should have the opportunity to follow through on my responsibilities as the elected member.

When people pick a name on the ballot, that's who they vote for. They vote for the individual to represent them in this chamber, not some cornucopia of a selection that's going to be taken across the province to bring in members from here and there helter-skelter in some kind of formula to decide who's going to actually speak for the citizens of this province. The elected members of this assembly are the ones who should have that responsibility.

Where we have failed, and why there's such a move out there for some kind of electoral reform, is because we, as parliamentarians in every House in this country, have failed to exercise that responsibility at times. What we need is reform about how we do our jobs here at times, but not necessarily reform as to who gets put into the seats in this House. Each constituency should be electing that member and that member should be representing them, but representing them as we traditionally should be representing them and doing our jobs here, not playing games half the time.

**The Deputy Speaker:** The member for Nepean–Carleton has two minutes to reply.

**Mr. Baird:** As the member for Bruce–Grey–Owen Sound said, what this legislation does is basically democracy by bingo ball. They'll get a big bingo ball and

choose the representation for the people of Ontario. That's legislating by lottery. At a time when the public is yearning for more accountability, what this does is end accountability. We don't know. Constituents in my riding, constituents in the ridings that we all represent, won't have any say in who will represent them on this panel. It will be done by lottery and by cabinet order behind closed doors, down the hall.

It's about time legislators stand up for themselves, stand up for democracy, stand up for a broader role for all members of Parliament. The members in the government spoke against this type of act when they were in opposition. Of course, they're only taking it one step further. They're only digging the hole deeper. We might as well go to the Texas model if this is the way we're going to do it. Have an eight-week session. We're here for the day, or we're here until at least 6 o'clock. The House is authorized to sit after 6 o'clock. But even on a day when the House has unlimited time to debate bills, members are publicly chastised by McGuinty cabinet ministers that they shouldn't stand up and speak to an important piece of legislation, and that is the ultimate insult. It's no wonder the public has no faith in the people they elect.

1650

**The Deputy Speaker:** Further debate?

**Ms. Marilyn Churley (Toronto–Danforth):** I'm pleased to have an opportunity to speak to this bill today. I must say to the member for Nepean–Carleton that it was with a great deal of interest that I listened to him talk about the lessons he has learned after 10 years in this place. And it did bring back some memories for me, having been in this place for close to 15 years now, being in government, being in cabinet and then being defeated by the Mike Harris government, of which the member from Nepean–Carleton was a member at that time and, he'll recall, participated in the rule changes that diminished the role of members, particularly private members here. I think he's quite right to say that he has seen the light to some extent, because I believe it takes being in opposition in this place to really understand how limited the role can be for the opposition when you have a majority government, and that there are some downsides to people being elected and immediately getting into government, as I think the member would quite freely say. He was elected and put right into cabinet and had absolutely no sense of what it is to sit on the opposition benches and do your best and try your best to have input.

I'm happy to say that I feel quite proud of the fact that I, as a member of the opposition, have had the opportunity, for instance, to influence the finance minister. He even gave me credit for it in the newspaper. I woke up—I get the Star—and there was the headline: “Sorbara Credits Churley.”

*Interjection.*

**Ms. Churley:** Yes, he does. Thank you very much for acknowledging that, because most ministers don't. I was pleased to see that the Minister of Finance graciously, in a crowded room before the media, credited me for it, that



he gave some credit to an opposition member who, actually working in partnership with the industry—I had private conversations with him where I think he would agree that I practically grabbed him by the lapel. In one conversation in the hall, I said, “You had better meet with those people, because you don’t understand what’s going on here. Once you do sit down with them and listen to them, you will understand and do what they’re asking.” They had their big demonstration, and, by God, it worked. We all came together to do the right thing in this place for a large constituency.

**Hon. Mr. Sorbara:** And today it’s going well out there.

**Ms. Churley:** Yes, it is.

I diverted a little bit here to say that sometimes we do, and the public doesn’t often see it because ministers don’t frequently give opposition members credit publicly when we actually do play a role behind the scenes in forcing their hand in doing the right thing.

What I was thinking is that sometimes—John Baird, the member for Nepean—Carleton, is now on the opposition benches. Looking back over, I’m happy to say, those 10 lost years under the Conservative government—remember how they’d say that all the time?—a lot of bad things happened in this place, and I don’t want to see things, in terms of the individual member’s ability to participate in this place.

I remember the sad day when Mike Harris arrived in front of the Legislature on his white horse, or should I say his flatbed truck—I believe he had 34 seats on that flatbed truck; remember that?—saying, “We have too many politicians wasting taxpayers’ money here. We’re going to get rid of 34 so that we’re down to 103.”

**Hon. Mr. Sorbara:** That was Mike Harris.

**Ms. Churley:** Yes, it was Mike Harris. I saw what happened then in my own riding, and we’re still suffering the consequences of it. Whole boundaries were changed so that East York in particular, which is part of my riding of Toronto—Danforth and part of Beaches—East York, lost its identity. Through another act of the Harris government, against the views of the people, Toronto and East York were amalgamated. Remember that? I’m talking to my constituents about democracy and the importance of what members in this place do with them and together for them. East York was swallowed up by amalgamation.

It was Frances Lankin and I and the former mayor of East York, who is now the member for Beaches—East York, working together who got the Harris government to admit they made a mistake, at least in terms of the number of councillors for East York—they were short-changed. So we did get that third councillor for East York. But the reality is that they got swallowed up by amalgamation.

Then, after a while, Dennis Mills, who was the Liberal member for that riding, changed the name. He had an opportunity to put East York back in the name but called it Toronto—Danforth. I’m happy to say that Jack Layton, now the MP for Toronto—Danforth, has just announced, as we had promised together, that we are changing that

name again, but this time it’s going to reflect the proud former borough of East York as well as Riverdale. I think he’s proposing—and we’ve agreed on—East York—Danforth—Riverdale. That was an opportunity, then, to at least get East York back in the name. Because I’ve got to tell you, all East Yorkers, within my riding of Toronto—Danforth and within the riding of Beaches—East York, continue to be very proud East Yorkers. So we had an ability to at least change the name to reflect that.

Then, after the Conservatives reduced the number of members in this House, suddenly, as politicians, our ridings almost doubled. The work we do here is different than what the federal members do. We work on a much more day-to-day basis. Especially those of us who live and work in Toronto are in our constituencies pretty much every night, going to meetings and events. Suddenly having a whole new part of the riding created without much of a change in budget to really service all of the riding was not good, in my view, for democracy and for our ability, as representatives, to do the best job we can for them.

Then we saw Mike Harris again on this white horse, saying to the people of Ontario, “We’re going to get rid of these MPPs’ rich pensions.” Our pensions were gone, thrown out. It was a very popular move at the time. Now we see members from the Conservatives, from the Liberals and, yes, Democrats—but it’s particularly galling from the Conservatives—saying, “We want to find a way to get our pension back.” Do you know what? People out there still think we have this big, rich pension—and we don’t. From my point of view, it was a cheap way to get votes, to tell the people of Ontario that these politicians didn’t deserve to get pensions. I agree that the pension situation, as it was, needed to be changed, and I was in favour of that. But I remember the way Mike Harris used the situation as a vote-getter.

As John Baird, who was a member of that government at the time, is saying today, it’s not in the interests of any of us in this place or of our constituents to continually wear down and in fact attack ourselves on a day-to-day basis. We’ve got the press and the public to do that for us. So listening to the member for Nepean—Carleton today I indeed found very interesting because in fact I agree with him. I agree with many of the things that he said today. Having been a member in this place for almost 15 years and watching the deterioration of this place, watching the deterioration, overall, of what’s going on in Ottawa, I certainly believe that we need some changes. There is no question about it.

I’m a strong proponent of completely revisiting and bringing in a kind of proportional representation model that will allow more women in this place, and more visible minorities and more true representation from our communities.

I want to speak now directly to this particular bill before us today. I should say that I’m not one of those—I had nothing to do with the negotiations—who agreed to be out of here today, because I wanted to go through the committee hearings on the adoption bill, Bill 183. I

wanted to be in that committee today and I wanted to be in here until we were through with it, even if it took till the end of June or whatever it took to get that bill through. This is not democracy, what's happening here. A bill that's similar to a bill that I brought forward five times in this place went to committee, where the majority, from all sides, in the past and now, even, support the bill, but once again it has been held up. And what are we doing here today? We're not debating that. A bill that's important to thousands and thousands of people in this province who have been waiting—

**Mr. Kormos:** Who's stalling it?

**Ms. Churley:** I don't even want to get into that today.

**Mr. Kormos:** Not the New Democrats.

**Ms. Churley:** Certainly not New Democrats.

I want to be here and finish that debate. I don't like the idea that it's hanging out there again over this summer. There could be a change in the minister. We know that Conservatives are going to be out there all summer long scaremongering and doing what they've been doing.

**Mr. Kormos:** Not all of them.

**Ms. Churley:** Not all of them.

We may come back here with no bill or a completely watered-down bill. So we should be here today continuing the work that we were doing on the adoption bill.

1700

On the bill before us today, I want to say very clearly that I don't necessarily agree that in some situations citizens' juries are bad—not in certain situations—but I do want to say, given what's been presented to us here today, that these juries will be rigged, because the minister has the power to hire the staff, dictate the mandate, decide the timelines and control the purse strings without any input or oversight. It's like putting Al Capone in charge of a commission on crime, for goodness' sake. That's what this reminds me of here.

I believe that what we have before us today, unfortunately, is a stall tactic. I believe that the McGuinty Liberals want to stall reform with a lengthy consultation process so that they can keep raking in the corporate donations instead of just doing what they know they should be doing—just fixing this themselves. I'm sure that if they did a quick poll, they would recognize that the way of riding associations, both under the Liberals and with some Conservatives, is wrong. It's spending taxpayers' money, because that's what it is; it's tax-deductible. It's wrong; just fix it.

On election finance reform, it's pretty obvious what needs to be done. The government could have brought in a bill a long time ago to fix it. But as Ian Urquhart recently observed in a Toronto Star column—I'm going to quote him here: "... bankers, lawyers, brokers, developers, contractors, lobbyists, telecommunications executives, computer suppliers, pharmaceutical makers, auto manufacturers and others" all buy "tickets to the dinner in order to maintain access to the party in power. And of course, the Liberals deny this."

But we know that's what's going on. They want to continue raking in the money in the meantime and get as

much as they can from corporations the likes of AIM PowerGen Corp., an energy solutions company; Calpine Canada; Commercial Alcohols; and municipal hydro utility Enersource Corp. Those are all donors to the Minister of Energy.

I have long, long lists of the corporate donors and the huge amount of money that's been going to the Liberal Party—the \$20,000-a-plate dinners. It's wrong and it needs to be changed, and we all know that it needs to be changed. So I would say to—

*Interruption.*

**Ms. Churley:** I heard that. And the Lord agrees with me. Did you hear that thunder? Let's hear it for change. We don't need a citizens' jury to tell us what it was. We don't need a citizens' jury for this government to do the right thing.

What makes it even worse is the way it's been done. As I said, I believe that the concern is that the Liberals will be able to continue to stall, to rake in the big corporate dollars and then drop the boom when they're ready, making it that much more difficult for the opposition parties to raise money for an election campaign.

We do not support this bill today. I think that the Liberals have a very clear agenda on election finance reform, and right now they just don't want any; they continue raking in the big bucks from the big corporations.

With that, I'm going to sit down, but I'm glad that I had this opportunity—

**Mr. Baird:** You didn't mention the Beaches—

**Ms. Churley:** I talked about the Beaches and East York a fair amount here today.

The reality is that I'm very, very concerned. I know that the Liberals have a majority today, but as I said, I believe what we're doing here today is putting the likes of Al Capone in charge of a commission on crime, that they're going to oversee the whole thing. They can stall it as long as they want, and they have complete control of what ends up being on the agenda and the final recommendations.

So I believe that this should be voted down, and I believe that the minister responsible for democratic renewal should have just brought in a bill with the electoral finance reforms that we all need to be put in place.

**The Deputy Speaker:** Questions and comments?

**Mr. Baird:** I thought that was a fine speech by the member for—

**Ms. Churley:** Toronto—Danforth.

**Mr. Baird:** Toronto—Danforth.

**Ms. Churley:** Soon to be East York.

**Mr. Baird:** Potentially; they're doing redistribution, I think. She's got her own redistribution plan in mind, I think.

I agree with her in much of what she said. I disagree with the scorn that she heaped on the Harris government, I say to the member opposite, she is right, though, when she says that there is this collective—every successive government, every successive Parliament tries to attack the institution. When they do it, the opposition decries it, but then when the opposition becomes the government,



as it inevitably does in this province, it only makes it worse. It's sort of analogous to the Minister of Health. The Minister of Health always decries the allegedly 8,000 nurses who were fired by Mike Harris, but apparently that wasn't enough, because he's fired another 757 nurses. And this is the exact same example. I was surprised the member for Toronto-Danforth didn't mention that.

**The Deputy Speaker:** Further questions and comments? The member for Toronto-Danforth, you have two minutes to reply.

**Ms. Churley:** I will just wrap up by saying, did you hear that thunder again? I think it's really giving us a message here, and I'm sure the government is hearing that and will rethink this bill before us today and just bring in election finance reform. They know what needs to be done.

**The Deputy Speaker:** Further debate?

**Mr. Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity to debate Bill 213. I just wanted to say as well that I'm with the member from Toronto-Danforth in that I too wanted to stay to the end of the month and debate a number of issues because there were a lot of things I wanted to have the opportunity to discuss. I think they would have been far more successful had they gone after caucus tomorrow. Typically, we have our caucuses tomorrow, and it would have been a lot easier in proceeding and getting all these things done.

What I have concerns with in this bill is that Bill 213 is a bit of a mad scramble in order to get out of here, to get broken for the summer and to get off and get the shuffle done and all those things, to give people time to adjust, and quite frankly I'm opposed to that. We have a set House calendar. We should comply with that, and quite frankly, going to the end of June would have been very good.

The areas where I have concern with this bill—and, when you try to find a copy of the bill, it's so new that it's not even in our desks to have an opportunity to go over it, and that's why it gives us a great deal of concern. Right in the explanatory notes it says, "Proposed section 17.9 details how the Chief Election Officer is to draw names from the permanent register of electors, contact those persons to determine whether they are willing to participate, set up a list and provide it to the minister responsible for democratic renewal."

Then when you get into the legislation, there are a couple of areas here that should be looked at. In 17.8 of the bill, it specifically states, "The Lieutenant Governor in Council may, by regulation"—and then it goes on to say—"provide that the minister shall assemble a representative body of electors to consider specified matters relating to the reform, in the context of democratic renewal, of the statutes for which the minister has responsibility." It's pretty broad in that there are a lot of areas that could be looked at here, and I think that possibly a reference to a sitting committee of government would probably, for the makeup of this committee, be far more effective, or at least in part of the review in how the

process should take place, would give the opportunity for the members of the House to have some input as well.

Under that same clause, 17.8(1)(c), it says, "specify the number of members, and the number of alternates, if any, who shall compose the representative body, and prescribe eligibility criteria for members, and for alternates, if any." Some of the difficulties with that are that some of the other ridings, particularly in the north, are quite large. How large is that committee going to be? Is it going to be able to travel? Is it going to be able to get input? What is the actual function of that committee?

In my riding of Oshawa—and I can say that as to the federal bill when the boundaries were discussed, it was brought forward and a proposal was made. They came down and did a presentation after the discussions were made, and then people presented on that. I presented on that because I had some strong concerns, after which it went back to Ottawa, they reviewed it and changed it back to the way it was in the first place after they made some substantial changes after public input. Some of the concerns there are that the process seemed to be subject to the input of a lot of members behind closed doors, in much the same fashion that leaving today may have accomplished as well.

1710

Are these committees all going to be the same size? Is the one in the north going to be separate? Are they going to have one in each of the communities or is it going to be one to travel the area? How is it going to be set up?

Also, to "specify the date by which the Chief Election Officer shall provide the list and personal information to the minister under paragraph 6 of section 17.9": We want to make sure with this date information that there is enough time to make sure it can be implemented and that a process is put in place so that it can be done effectively and all the members will have the opportunity to make the changes within their riding associations in dealing with all these issues. I don't know if it's going to be taking place, because it doesn't specify the amount of time except that the committee is nullified on October 4, 2007, when the next provincial election is.

One area was really interesting. Under the same section, 17.8, it says,

"Amendment

"(2) A regulation made under subsection (1) may be amended from time to time."

What's that process going to be for amendment? How is that going to take place? Have you ever seen, in a piece of legislation, a clause that says that? Normally, it automatically takes place or you go to committee and review it, or you come back to the Legislature to debate it. What's taking place here is that that specific clause says that a regulation can make the amendment. Quite frankly, I have some strong concerns with that, because when it takes in regulation, the individual ministry and the minister are the ones responsible for that. Who is the one who is going to decide that process? How is it going to take place and what are the processes going to be?

As I mentioned, there were a couple of areas specifically. There's the timing. How can we implement this legislation to ensure that it's going to be effective, so that all members will have the opportunity within their ridings to deal with the legislation? What is the input going to be? I know the other members have mentioned the committee and the makeup of the committee, and certainly that is cause for concern. However, I think the elected officials should have some part in the process to ensure that those individuals are accountable within their ridings.

We had a lot of input during the federal process, where the individual citizens came forward to make presentations on this so that they could decide how the riding is going to be affected. I know that the Oshawa airport was taken out of the new boundaries, which made it difficult for those citizens in that area to participate in the Oshawa decisions, because now they're part of a Whitby process.

Those would be my concerns. I only had a few that I wanted to bring forward and get on the record. Had we had further debate on this, and longer debate, I think we could have all gone a little bit better, and the House closing tomorrow afternoon or Wednesday would have been a far better time so that we could have caucused these things and discussed them as a group and said that we have to bring it to the floor of the Legislature to let everybody know the opinion of the members who have concerns about this.

**The Deputy Speaker:** Member for Glengarry–Prescott–Russell, are you standing or reading?

Questions or comments?

**Mr. Murdoch:** I'm sure the member from Glengarry–Prescott–Russell would have had some good comments.

As I said before, a deal has been made on this, and we've talked a bit about it. I understand that this bill has been pulled out of another bill, and there was some comment on it then.

I want to tell you that I don't agree with it. I think we're going to have trouble with it. I just think this is wrong, the way this has come down today in this House, because it happens to be the last day. I agree with Jerry over here, who said we could have talked about this tomorrow in caucus and had some time to discuss it. But this has all gone wrong today. I know that some of the House leaders will be upset that we exercised our right to speak in this House. That seems to be all too much. The deals are made, and members like ourselves don't get a chance to express our concerns in this House. I know you'll hear from some of the whips opposite. They'll say, "Oh, we asked you, and you didn't want to do it," and things like that. But sometimes we just don't get all the stories, as you know, Mr. Speaker.

I was going to speak for 20 minutes on this bill, but I've had two minutes here and I had two minutes before. I will let you carry on your House, and hopefully you won't have to stay too late tonight to finish off. I know there will be some pouty people around here, and that's unfortunate. In the name of democracy, I think they have

to get a life and live with it, and I'm sure they'll get over it. So thank you, and we'll see what happens.

**The Deputy Speaker:** The member for Oshawa has two minutes to reply.

**Mr. Ouellette:** As I said earlier on, certainly an opportunity to discuss this would have been a little bit more prudent on behalf of the members.

In the Legislature, as I'm sure all members realize, there are certain rules and guidelines that we operate by. As elected officials we have certain abilities, and when we don't exercise those we don't act in the best interests of our constituents to make sure that all views are brought forward. We have expressed that in some of the concerns brought forward on the timelines, on the process and the procedure, on the amendments process, and other things in this bill. I certainly hope that the members would view that when they're voting on this particular piece of legislation.

**The Deputy Speaker:** Further debate? Do any other members wish to speak?

Mr. Bryant has moved second reading of Bill 213. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1716 to 1746.*

**The Deputy Speaker:** All those in favour, please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                     |                    |
|-----------------------|---------------------|--------------------|
| Arthurs, Wayne        | Flynn, Kevin Daniel | Parsons, Ernie     |
| Bentley, Christopher  | Fonseca, Peter      | Patten, Richard    |
| Berardinetti, Lorenzo | Gerretsen, John     | Peters, Steve      |
| Bountrogianni, Marie  | Gravelle, Michael   | Phillips, Gerry    |
| Bradley, James J.     | Hoy, Pat            | Qadri, Shafiq      |
| Broten, Laurel C.     | Jeffrey, Linda      | Racco, Mario G.    |
| Brown, Michael A.     | Kular, Kuldeep      | Ramal, Khalil      |
| Brownell, Jim         | Lalonde, Jean-Marc  | Ramsay, David      |
| Bryant, Michael       | Leal, Jeff          | Rinaldi, Lou       |
| Cansfield, Donna H.   | Levac, Dave         | Ruprecht, Tony     |
| Caplan, David         | Marsales, Judy      | Sandals, Liz       |
| Colle, Mike           | Matthews, Deborah   | Smith, Monique     |
| Cordiano, Joseph      | Mauro, Bill         | Smitherman, George |
| Delaney, Bob          | McMeekin, Ted       | Van Bommel, Maria  |
| Dhillon, Vic          | McNeely, Phil       | Watson, Jim        |
| Di Cocco, Caroline    | Meilleur, Madeleine | Wilkinson, John    |
| Dombrowsky, Leona     | Mitchell, Carol     | Wong, Tony C.      |
| Duguid, Brad          | Mossop, Jennifer F. | Zimmer, David      |
| Duncan, Dwight        | Oraziotti, David    |                    |

**The Deputy Speaker:** All those opposed will please stand one at a time and be recognized by the Clerk.

#### Nays

|                  |                   |                     |
|------------------|-------------------|---------------------|
| Amott, Ted       | Horwath, Andrea   | Ouellette, Jerry J. |
| Baird, John R.   | Klees, Frank      | Prue, Michael       |
| Bisson, Gilles   | Kormos, Peter     | Runciman, Robert W. |
| Chudleigh, Ted   | Marchese, Rosario | Scott, Laurie       |
| Churley, Marilyn | Martel, Shelley   | Witmer, Elizabeth   |
| Flaherty, Jim    | Murdoch, Bill     | Yakubuski, John     |
| Hardeman, Ernie  | O'Toole, John     |                     |

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 56; the nays are 20.



**The Deputy Speaker:** I declare the motion carried. Shall the bill be ordered for third reading? So ordered.

**Hon. Mr. Duncan:** Mr. Speaker, I believe we have unanimous consent to call the order for third reading on Bill 213 immediately.

**The Deputy Speaker:** Agreed? Agreed.

#### ELECTION AMENDMENT ACT, 2005

##### LOI DE 2005 MODIFIANT LA LOI ÉLECTORALE

Mr. Bryant moved third reading of the following bill:  
Bill 213, An Act to amend the Election Act, 2005 /  
Projet de loi 213, Loi modifiant la Loi électorale.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Do any members wish to speak?

Mr. Bryant has moved third reading of Bill 213, An Act to amend the Election Act. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1750 to 1751.*

**The Deputy Speaker:** All those in favour will please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                     |
|-----------------------|---------------------|
| Arthurs, Wayne        | Flynn, Kevin Daniel |
| Bentley, Christopher  | Fonseca, Peter      |
| Berardinetti, Lorenzo | Gerretsen, John     |
| Bountrogianni, Marie  | Gravelle, Michael   |
| Bradley, James J.     | Hoy, Pat            |
| Broten, Laurel C.     | Jeffrey, Linda      |
| Brown, Michael A.     | Kular, Kuldip       |
| Brownell, Jim         | Lalonde, Jean-Marc  |
| Bryant, Michael       | Leal, Jeff          |
| Cansfield, Donna H.   | Levac, Dave         |
| Caplan, David         | Marsales, Judy      |
| Colle, Mike           | Matthews, Deborah   |
| Cordiano, Joseph      | Mauro, Bill         |
| Delaney, Bob          | McMeekin, Ted       |
| Dhillon, Vic          | McNeely, Phil       |
| Di Cocco, Caroline    | Meilleur, Madeleine |
| Dombrowsky, Leona     | Mitchell, Carol     |
| Duguid, Brad          | Mossop, Jennifer F. |
| Duncan, Dwight        | Oraziotti, David    |

**The Deputy Speaker:** All those opposed, please stand one at a time and be recognized by the Clerk.

#### Nays

|                  |                   |                     |
|------------------|-------------------|---------------------|
| Amott, Ted       | Horwath, Andrea   | Ouellette, Jerry J. |
| Baird, John R.   | Klees, Frank      | Prue, Michael       |
| Bisson, Gilles   | Kormos, Peter     | Runciman, Robert W. |
| Chudleigh, Ted   | Marchese, Rosario | Scott, Laurie       |
| Churley, Marilyn | Martel, Shelley   | Witmer, Elizabeth   |
| Flaherty, Jim    | Murdoch, Bill     | Yakabuski, John     |
| Hardeman, Ernie  | O'Toole, John     |                     |

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 56; the nays are 20.

**The Deputy Speaker:** I declare the motion passed.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** Mr. Speaker, I seek unanimous consent to call orders for second and third reading of Pr bills concurrently.

**The Deputy Speaker:** Agreed? Agreed.

#### KEY AIRCRAFT SERVICES INC. ACT, 2005

Mrs. Jeffrey moved second reading of the following bill:

Bill Pr7, An Act to revive Key Aircraft Services Inc.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

#### KEY AIRCRAFT SERVICES INC. ACT, 2005

Mrs. Jeffrey moved third reading of the following bill:

Bill Pr7, An Act to revive Key Aircraft Services Inc.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### ACTON DISPOSAL SERVICES LIMITED ACT, 2005

Mr. Racco moved second reading of the following bill:

Bill Pr9, An Act to revive Acton Disposal Services Limited.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

#### ACTON DISPOSAL SERVICES LIMITED ACT, 2005

Mr. Racco moved third reading of the following bill:

Bill Pr9, An Act to revive Acton Disposal Services Limited.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### KITCHENER-WATERLOO Y.M.C.A. ACT, 2005

Mrs. Witmer moved second reading of the following bill:

Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

KITCHENER-WATERLOO  
Y.M.C.A. ACT, 2005

Mrs. Witmer moved third reading of the following bill:

Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

TYNDALE UNIVERSITY COLLEGE  
& SEMINARY ACT, 2005

Mr. Klees moved second reading of the following bill:

Bill Pr12, An Act respecting Tyndale University College & Seminary.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

TYNDALE UNIVERSITY COLLEGE  
& SEMINARY ACT, 2005

Mr. Klees moved third reading of the following bill:

Bill Pr12, An Act respecting Tyndale University College & Seminary.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved the bill do now pass and be entitled as in the motion.

INSTITUTE FOR  
CHRISTIAN STUDIES ACT, 2005

Mr. Marchese moved second reading of the following bill:

Bill Pr14, An Act respecting the Institute for Christian Studies.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

INSTITUTE FOR  
CHRISTIAN STUDIES ACT, 2005

Mr. Marchese moved third reading of the following bill:

Bill Pr14, An Act respecting the Institute for Christian Studies.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1800

TORONTO ATMOSPHERIC FUND  
ACT, 2005

Mr. Duguid moved second reading of the following bill:

Bill Pr15, An Act respecting the Toronto Atmospheric Fund and the Clean Air Partnership (formerly known as the Toronto Atmospheric Fund Foundation).

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

TORONTO ATMOSPHERIC FUND  
ACT, 2005

Mr. Duguid moved third reading of the following bill:

Bill Pr15, An Act respecting the Toronto Atmospheric Fund and the Clean Air Partnership (formerly known as the Toronto Atmospheric Fund Foundation).

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

REFERRAL OF BILLS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** Mr. Speaker, I seek unanimous consent to move a motion respecting Bills 113, 168 and 203.

**The Deputy Speaker (Mr. Bruce Crozier):** The government House leader has asked for unanimous consent. Agreed? Agreed.

**Hon. Mr. Duncan:** I move that the orders of the House referring the following bills to the following committees be discharged and that the bills be ordered referred for third reading:

In the standing committee on social policy, Bill 113, An Act to proclaim the month of May as Asian Heritage Month;

In the standing committee on the Legislative Assembly, Bill 168, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector; and

To call the orders for second and third readings of Bill 203, An Act to proclaim Ontario Wine Week, concurrently.

**The Acting Speaker (Mr. Ted Arnott):** Mr. Duncan has moved that the orders of the House referring the following bills to the following committees be discharged and that the bills be ordered referred for third reading—

**Interjection:** Dispense.

**The Acting Speaker:** Dispense? I heard a no.

In the standing committee on social policy, Bill 113, An Act to proclaim the month of May as Asian Heritage Month;

In the standing committee on the Legislative Assembly, Bill 168, An Act—

**Interjection:** Dispense.

**The Acting Speaker:** Dispense? Dispensed.

All those in favour of the motion will please say "aye."

All those opposed, please say "nay."

Carried.



## ASIAN HERITAGE ACT, 2005

## LOI DE 2005

## SUR LE PATRIMOINE ASIATIQUE

Mr. Wong moved third reading of the following bill:

Bill 113, An Act to proclaim the month of May as Asian Heritage Month / Projet de loi 113, Loi proclamant le mois de mai Mois du patrimoine asiatique.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

HIGHWAY TRAFFIC AMENDMENT ACT  
(SCHOOL CROSSING GUARDS), 2005LOI DE 2005 MODIFIANT LE CODE  
DE LA ROUTE (PASSEURS SCOLAIRES)

Mr. Brown moved third reading of the following bill:

Bill 142, An Act to amend the Highway Traffic Act with respect to school crossing guards / Projet de loi 142, Loi modifiant le Code de la route en ce qui a trait aux passeurs scolaires.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

FARM IMPLEMENTS  
AMENDMENT ACT, 2005LOI DE 2005 MODIFIANT LA LOI  
SUR LES APPAREILS AGRICOLES

Mr. Hardeman moved third reading of the following bill:

Bill 168, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 168, Loi visant à assurer l'équité, à favoriser la concurrence et le choix chez le consommateur et à encourager l'innovation dans le secteur des appareils agricoles.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## ONTARIO WINE WEEK ACT, 2005

LOI DE 2005 SUR LA SEMAINE DES VINS  
DE L'ONTARIO

Mr. Crozier moved second reading of the following bill:

Bill 203, An Act to proclaim Ontario Wine Week / Projet de loi 203, Loi proclamant la Semaine des vins de l'Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

## ONTARIO WINE WEEK ACT, 2005

LOI DE 2005 SUR LA SEMAINE DES VINS  
DE L'ONTARIO

Mr. Crozier moved third reading of the following bill:

Bill 203, An Act to proclaim Ontario Wine Week / Projet de loi 203, Loi proclamant la Semaine des vins de l'Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SELECT COMMITTEE ON  
ELECTORAL REFORM

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** Mr. Speaker, I seek unanimous consent to move a motion without notice regarding striking a select committee.

**The Acting Speaker (Mr. Ted Arnott):** Is there consent? Agreed.

**Hon. Mr. Duncan:** I move that a select committee on electoral reform be appointed to consider and report on options for electoral reform.

The committee shall, among other matters, review the current electoral system and alternative electoral systems. It may make recommendations on the viability of each alternative electoral system reviewed, taking into consideration the impact such alternatives may have on gender equality, full representation of Ontario's populace and the number and method of election of MPPs.

The committee shall consider the procedure for the referendum to be held following a review of electoral reform by a citizen assembly as constituted pursuant to the Election Amendment Act, 2005, and may make recommendations on the requirements for a winning referendum.

The committee shall be composed of six government members, two members of the official opposition and one member of the third party. It shall be chaired by a member of the government, and a member of the official opposition member shall serve as Vice-Chair. The membership of the committee, including the identification of the Chair and Vice-Chair, shall be filed with the Clerk of the Assembly by the whips of the recognized parties no later than Friday, July 8, 2005.

The committee shall have the authority to meet concurrently with the House and during any adjournment of the House, notwithstanding prorogation.

The committee shall have the authority to commission reports relevant to the terms of reference, to employ staff and to travel outside of Ontario.

At its discretion, the committee has the authority to present interim reports, and the committee shall present its final report to the Legislative Assembly no later than November 3, 2005. If the House is not sitting, the committee has the authority to release any report by depositing a copy of it with the Clerk of the Assembly,

and, upon resumption of the sittings of the House, the Chair of the committee shall present such report to the House in accordance with the standing orders.

**The Deputy Speaker (Mr. Bruce Crozier):** Is the House familiar with the motion? Is it the pleasure of the House that the motion carry? Carried.

### STATUS OF BUSINESS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to move a motion without notice regarding the order paper.

**The Deputy Speaker (Mr. Bruce Crozier):** Agreed? Agreed.

**Hon. Mr. Duncan:** I move that, during the adjournment, in the event of the prorogation of the first session of the 38th Parliament and notwithstanding such prorogation, the estimates selected for consideration by the standing committee on estimates and the following bills remaining on the orders and notices paper be continued and placed on the orders and notices paper of the second sessional day of the second session of the 38th Parliament at the same stage of business for the House and its committees as at prorogation:

1810

Bill 7, An Act to authorize a group of manufacturers of Ontario wines to sell Vintners Quality Alliance wines;

Bill 58, An Act to amend the Safe Streets Act, 1999 and the Highway Traffic Act to recognize the fundraising activities of legitimate charities and non-profit organizations;

Bill 101, An Act to amend the Health Insurance Act;

Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public;

Bill 128, An Act to amend various Acts with respect to enforcement powers, penalties and the management of property forfeited, or that may be forfeited, to the Crown in right of Ontario as a result of organized crime, marijuana growing and other unlawful activities;

Bill 137, An Act to amend the Income Tax Act to provide for a tax credit for expenses incurred in using public transit;

Bill 138, An Act to amend the Emergency Management Act and the Employment Standards Act, 2000;

Bill 153, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act;

Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999;

Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters;

Bill 183, An Act respecting the disclosure of information and records to adopted persons and birth parents;

Bill 190, An Act to promote good government by amending or repealing certain Acts and by enacting one new Act;

Bill 197, An Act to implement Budget measures;

Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act;

Bill 209, An Act to amend the Highway Traffic Act with respect to the suspension of drivers' licences;

Bill 210, An Act to amend the Child and Family Services Act and make complementary amendments to other Acts;

Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement;

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005.

**The Deputy Speaker:** Is the House familiar with the motion? During the adjournment—dispense? Dispensed.

Is it the pleasure of the House that the motion carry? Carried.

### COMMITTEE MEETINGS

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to move a motion without notice regarding committee meetings.

**The Deputy Speaker (Mr. Bruce Crozier):** The government House leader has moved unanimous consent for a motion without notice for committee meetings. Agreed? Agreed.

**Hon. Mr. Duncan:** I move that the following committees be authorized to meet during the adjournment, in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly to examine and inquire into the following matters:

Standing committee on estimates to consider the estimates of certain ministries;

Standing committee on general government to consider Bill 169, An Act to amend the Highway Traffic Act and to amend and repeal various other statutes in respect of transportation-related matters;

Standing committee on justice policy to consider Bill 159, An Act to revise the Private Investigators and Security Guards Act and to make a consequential amendment to the Licence Appeal Tribunal Act, 1999;

The standing committee on the Legislative Assembly to consider Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005, and the Chair and subcommittee to adjourn to Seattle, Washington, to attend the annual meeting of the National Conference of State Legislatures;

The standing committee on public accounts to adjourn to Niagara-on-the-Lake to attend the conference of the Canadian Council of Public Accounts Committees;

The standing committee on regulations and private bills to consider certain private members' public bills;

The standing committee on social policy to conduct clause-by-clause consideration of Bill 183, An Act re-



specting the disclosure of information and records to adopted persons and birth parents; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the Assembly during the summer adjournment and that upon resumption of the meetings of the House, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

**The Deputy Speaker:** Is the House familiar with the motion?

Is it the pleasure of the House that the motion carry? Carried.

## PARLIAMENTARY CALENDAR

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to move a motion without notice regarding the parliamentary calendar.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it agreed? Agreed.

**Hon. Mr. Duncan:** I move that, notwithstanding standing order 6(a), when the House adjourns today, it stand adjourned until Monday, September 26, 2005.

**The Deputy Speaker:** Is the House familiar with the motion? Is it the pleasure of the House that the motion carry? Carried.

**Hon. Mr. Duncan:** His Honour awaits.

*His Honour the Administrator of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.*

1820

## ROYAL ASSENT SANCTION ROYALE

**Hon. Roy McMurtry (Administrator):** Pray be seated.

**The Speaker (Hon. Alvin Curling):** May it please Your Honour, the Legislative Assembly of Ontario has, at its present meetings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**The Deputy Clerk (Ms. Deborah Deller):** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 3, An Act to protect anaphylactic pupils / Projet de loi 3, Loi visant à protéger les élèves anaphylactiques.

Bill 92, An Act to amend the Municipal Act, 2001 / Projet de loi 92, Loi modifiant la Loi de 2001 sur les municipalités.

Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds / Projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle.

Bill 113, An Act to proclaim the month of May as Asian Heritage Month / Projet de loi 113, Loi proclamant le mois de mai Mois du patrimoine asiatique.

Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities / Projet de loi 118, Loi traitant de l'élaboration, de la mise en oeuvre et de l'application de normes concernant l'accessibilité pour les personnes handicapées en ce qui concerne les biens, les services, les installations, l'emploi, le logement, les bâtiments et toutes les autres choses qu'elle précise.

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

Bill 136, An Act respecting the establishment of growth plan areas and growth plans / Projet de loi 136, Loi sur l'établissement de zones de croissance planifiée et de plans de croissance.

Bill 142, An Act to amend the Highway Traffic Act with respect to school crossing guards / Projet de loi 142, Loi modifiant le Code de la route en ce qui a trait aux passeurs scolaires.

Bill 144, An Act to amend certain statutes relating to labour relations / Projet de loi 144, Loi modifiant des lois concernant les relations de travail.

Bill 155, An Act to amend the Family Responsibility and Support Arrears Enforcement Act, 1996 and to make consequential amendments to the Fish and Wildlife Conservation Act, 1997 / Projet de loi 155, Loi modifiant la Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments et apportant des modifications corrélatives à la Loi de 1997 sur la protection du poisson et de la faune.

Bill 158, An Act to replace the Theatres Act and to amend other Acts in respect of film / Projet de loi 158, Loi remplaçant la Loi sur les cinémas et modifiant d'autres lois en ce qui concerne les films.

Bill 164, An Act to rename and amend the Tobacco Control Act, 1994, repeal the Smoking in the Workplace Act and make complementary amendments to other Acts / Projet de loi 164, Loi visant à modifier le titre et la teneur de la Loi de 1994 sur la réglementation de l'usage du tabac, à abroger la Loi limitant l'usage du tabac dans les lieux de travail et à apporter des modifications complémentaires à d'autres lois.

Bill 168, An Act to ensure fairness, to foster competition and consumer choice and to encourage innovation in the farm implement sector / Projet de loi 168, Loi visant à assurer l'équité, à favoriser la concurrence et le choix chez le consommateur et à encourager l'innovation dans le secteur des appareils agricoles.

Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de

loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

Bill 194, An Act to amend the Education Act / Projet de loi 194, Loi modifiant la Loi sur l'éducation.

Bill 203, An Act to proclaim Ontario Wine Week / Projet de loi 203, Loi proclamant la Semaine des vins de l'Ontario.

Bill 213, An Act to amend the Election Act / Projet de loi 213, Loi modifiant la Loi électorale.

Bill 216, An Act to amend the Apprenticeship and Certification Act, 1998 / Projet de loi 216, Loi modifiant la Loi de 1998 sur l'apprentissage et la reconnaissance professionnelle.

Bill Pr7, An Act to revive Key Aircraft Services Inc.

Bill Pr9, An Act to revive Acton Disposal Services Limited.

Bill Pr11, An Act respecting The Kitchener-Waterloo Young Men's Christian Association.

Bill Pr12, An Act respecting Tyndale University College & Seminary.

Bill Pr14, An Act respecting the Institute for Christian Studies.

Bill Pr15, An Act respecting the Toronto Atmospheric Fund and the Clean Air Partnership (formerly known as the Toronto Atmospheric Fund Foundation).

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** In Her Majesty's name, His Honour the Administrator doth assent to these bills.

Au nom de Sa Majesté, Son Honneur l'administrateur sanctionne ces projets de loi.

*His Honour was then pleased to retire.*

**Hon. Dwight Duncan (Minister of Energy, Government House Leader):** I move adjournment of the House.

**The Speaker:** The government House leader has moved adjournment of the House.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those against, please say "nay."

I think the ayes have it. Carried.

The House stands adjourned until September 26, 2005.

*The House adjourned at 1826.*





**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman  
Speaker / Président: Hon. / L'hon. Alvin Curling  
Clerk / Greffier: Claude L. DesRosiers  
Deputy Clerk / Sous-greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Member and Party /<br>Député(e) et parti        | Constituency /<br>Circonscription                | Other responsibilities /<br>Autres responsabilités  |
|---|--|---|
| <b>Arnott, Ted (PC)</b>                         | Waterloo–Wellington                              | First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative  |
| Arthurs, Wayne (L)                              | Pickering–Ajax–Uxbridge                          | Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement  |
| Baird, John R. (PC)                             | Nepean–Carleton                                  | Opposition house leader / chef parlementaire de l'opposition  |
| Barrett, Toby (PC)                              | Haldimand–Norfolk–Brant                          | Deputy Opposition whip / whip adjoint de l'opposition   |
| <b>Bartolucci, Hon. / L'hon. Rick (L)</b>       | Sudbury  | Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines   |
| <b>Bentley, Hon. / L'hon. Christopher (L)</b>   | London West /<br>London-Ouest                    | Minister of Labour / ministre du Travail  |
| Berardinetti, Lorenzo (L)                       | Scarborough Southwest /<br>Scarborough-Sud-Ouest |   |
| Bisson, Gilles (ND)                             | Timmins–James Bay /<br>Timmins-Baie James        | Chief New Democratic Party whip /<br>whip en chef du Nouveau Parti démocratique   |
| <b>Bountrogianni, Hon. / L'hon. Marie (L)</b>   | Hamilton Mountain                                | Minister of Children and Youth Services,<br>Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiles et de l'Immigration                           |
| <b>Bradley, Hon. / L'hon. James J. (L)</b>      | St. Catharines                                   | Minister of Tourism and Recreation /<br>ministre du Tourisme et des Loisirs   |
| Brotten, Laurel C. (L)                          | Etobicoke–Lakeshore                              | Parliamentary assistant to the Premier /<br>adjointe parlementaire au premier ministre  |
| Brown, Michael A. (L)                           | Algoma–Manitoulin                                | Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles   |
| Brownell, Jim (L)                               | Stormont–Dundas–<br>Charlottenburgh              | Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée   |
| <b>Bryant, Hon. / L'hon. Michael (L)</b>        | St. Paul's                                       | Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique |
| Cansfield, Donna H. (L)                         | Etobicoke Centre /<br>Etobicoke-Centre           | Parliamentary assistant to the Minister of Energy /<br>adjointe parlementaire au ministre de l'Énergie  |
| <b>Caplan, Hon. / L'hon. David (L)</b>          | Don Valley East /<br>Don Valley-Est              | Minister of Public Infrastructure Renewal,<br>Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint   |
| <b>Chambers, Hon. / L'hon. Mary Anne V. (L)</b> | Scarborough East /<br>Scarborough-Est            | Minister of Training, Colleges and Universities /<br>ministre de la Formation et des Collèges et Universités  |
| Chudleigh, Ted (PC)                             | Halton   | Deputy Opposition whip / whip adjoint de l'opposition   |
| Churley, Marilyn (ND)                           | Toronto–Danforth                                 | Deputy New Democratic Party House leader /<br>leader parlementaire adjoint du Nouveau Parti démocratique  |
| Colle, Mike (L)                                 | Eglinton–Lawrence                                | Parliamentary assistant to the Minister of Finance /<br>adjoint parlementaire au ministre des Finances  |
| <b>Cordiano, Hon. / L'hon. Joseph (L)</b>       | York South–Weston /<br>York-Sud-Weston           | Minister of Economic Development and Trade /<br>ministre du Développement économique et du Commerce   |
| Craiton, Kim (L)                                | Niagara Falls                                    |   |



| Member and Party /<br>Député(e) et parti   | Constituency /<br>Circonscription                         | Other responsibilities /<br>Autres responsabilités  |
|--|---|---|
| <b>Crozier, Bruce</b> (L)                  | Essex   | Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative  |
| <b>Curling, Hon. / L'hon. Alvin</b> (L)    | Scarborough–Rouge River                                   | Speaker / Président   |
| Delaney, Bob (L)                           | Mississauga West /<br>Mississauga-Ouest                   |   |
| Dhillon, Vic (L)                           | Brampton West–Mississauga /<br>Brampton-Ouest–Mississauga |   |
| Di Cocco, Caroline (L)                     | Sarnia–Lambton  | Parliamentary assistant to the Minister of Children and Youth Services / adjointe parlementaire à la ministre des Services à l'enfance et à la jeunesse                           |
| <b>Dombrowsky, Hon. / L'hon. Leona</b> (L) | Hastings–Frontenac–Lennox and Addington                   | Minister of the Environment / ministre de l'Environnement   |
| Duguid, Brad (L)                           | Scarborough Centre /<br>Scarborough-Centre                | Parliamentary assistant to the Minister of Municipal Affairs and Housing (Urban) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Secteur urbain)     |
| <b>Duncan, Hon. / L'hon. Dwight</b> (L)    | Windsor–St. Clair   | Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement                   |
| Dunlop, Garfield (PC)                      | Simcoe North /<br>Simcoe-Nord                             | Chief opposition whip / whip en chef de l'opposition  |
| Flaherty, Jim (PC)                         | Whitby–Ajax   |   |
| Flynn, Kevin Daniel (L)                    | Oakville  | Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail  |
| Fonseca, Peter (L)                         | Mississauga East /<br>Mississauga-Est                     | Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée                                 |
| <b>Gerretsen, Hon. / L'hon. John</b> (L)   | Kingston and the Islands /<br>Kingston et les îles        | Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées |
| Gravelle, Michael (L)                      | Thunder Bay–Superior North / Thunder Bay–Superior-Nord    |   |
| Hampton, Howard (ND)                       | Kenora–Rainy River  | Leader of the New Democratic Party / chef du Nouveau Parti démocratique   |
| Hardeman, Ernie (PC)                       | Oxford  |   |
| Horwath, Andrea (ND)                       | Hamilton East / Hamilton-Est                              |   |
| Hoy, Pat (L)                               | Chatham–Kent Essex  |   |
| Hudak, Tim (PC)                            | Erie–Lincoln  |   |
| Jackson, Cameron (PC)                      | Burlington  |   |
| Jeffrey, Linda (L)                         | Brampton Centre /<br>Brampton-Centre                      |   |
| <b>Kennedy, Hon. / L'hon. Gerard</b> (L)   | Parkdale–High Park  | Minister of Education / ministre de l'Éducation   |
| Klees, Frank (PC)                          | Oak Ridges  |   |
| Kormos, Peter (ND)                         | Niagara Centre /<br>Niagara-Centre                        | New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique  |
| Kular, Kuldip (L)                          | Bramalea–Gore–Malton–Springdale                           | Parliamentary assistant to the minister responsible for democratic renewal / adjoint parlementaire au ministre responsable du Renouveau démocratique                              |
| <b>Kwinter, Hon. / L'hon. Monte</b> (L)    | York Centre / York-Centre                                 | Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels   |
| Lalonde, Jean-Marc (L)                     | Glengarry–Prescott–Russell                                | Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports  |
| Leal, Jeff (L)                             | Peterborough  | Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités               |
| Levac, Dave (L)                            | Brant   | Chief government whip / whip en chef du gouvernement  |
| Marchese, Rosario (ND)                     | Trinity–Spadina   |   |

| Member and Party /<br>Député(e) et parti     | Constituency /<br>Circonscription           | Other responsibilities /<br>Autres responsabilités   |
|--|---|--|
| Marsales, Judy (L)                           | Hamilton West / Hamilton-Ouest              |  |
| Martel, Shelley (ND)                         | Nickel Belt                                 |  |
| Martiniuk, Gerry (PC)                        | Cambridge                                   |  |
| Matthews, Deborah (L)                        | London North Centre /<br>London-Centre-Nord | Parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire à la ministre des Services sociaux et communautaires                                       |
| Mauro, Bill (L)                              | Thunder Bay–Atikokan                        | Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines  |
| <b>McGuinty, Hon. / L'hon. Dalton</b> (L)    | Ottawa South / Ottawa-Sud                   | Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales       |
| McMeekin, Ted (L)                            | Ancaster–Dundas–<br>Flamborough–Aldershot   | Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises                              |
| McNeely, Phil (L)                            | Ottawa–Orléans                              |  |
| <b>Meilleur, Hon. / L'hon. Madeleine</b> (L) | Ottawa–Vanier                               | Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones  |
| Miller, Norm (PC)                            | Parry Sound–Muskoka                         | Deputy opposition House leader / leader parlementaire adjoint de l'opposition  |
| Milloy, John (L)                             | Kitchener Centre /<br>Kitchener-Centre      | Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire au ministre des Affaires intergouvernementales  |
| Mitchell, Carol (L)                          | Huron–Bruce                                 | Parliamentary assistant to the Minister of Agriculture and Food / adjointe parlementaire au ministre de l'Agriculture et de l'Alimentation   |
| Mossop, Jennifer F. (L)                      | Stoney Creek                                | Parliamentary assistant to the Minister of Culture / adjointe parlementaire à la ministre de la Culture  |
| Munro, Julia (PC)                            | York North / York-Nord                      |  |
| Murdoch, Bill (PC)                           | Bruce–Grey–Owen Sound                       |  |
| O'Toole, John (PC)                           | Durham                                      |  |
| Oraziotti, David (L)                         | Sault Ste. Marie                            | Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation  |
| Ouellette, Jerry J. (PC)                     | Oshawa                                      |  |
| Parsons, Ernie (L)                           | Prince Edward–Hastings                      | Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées) |
| Patten, Richard (L)                          | Ottawa Centre / Ottawa-Centre               | Parliamentary assistant to the Minister of Economic Development and Trade (innovation) / adjoint parlementaire au ministre du Développement économique et du Commerce (Innovation)           |
| <b>Peters, Hon. / L'hon. Steve</b> (L)       | Elgin–Middlesex–London                      | Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation  |
| Peterson, Tim (L)                            | Mississauga South /<br>Mississauga-Sud      | Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs   |
| <b>Phillips, Hon. / L'hon. Gerry</b> (L)     | Scarborough–Agincourt                       | Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement   |
| Prue, Michael (ND)                           | Beaches–East York /<br>Beaches–York-Est     | Deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique  |
| <b>Pupatello, Hon. / L'hon. Sandra</b> (L)   | Windsor West /<br>Windsor-Ouest             | Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine              |
| Qaadri, Shafiq (L)                           | Etobicoke North /<br>Etobicoke-Nord         |  |
| Racco, Mario G. (L)                          | Thornhill                                   |  |
| Ramal, Khalil (L)                            | London–Fanshawe                             | Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire à la ministre des Affaires civiles et de l'Immigration  |
| <b>Ramsay, Hon. / L'hon. David</b> (L)       | Timiskaming–Cochrane                        | Minister of Natural Resources / ministre des Richesses naturelles  |



| Member and Party /<br>Député(e) et parti | Constituency /<br>Circonscription                    | Other responsibilities /<br>Autres responsabilités  |
|--|--|---|
| Rinaldi, Lou (L)                         | Northumberland                                       | Parliamentary assistant to the Minister of Public Infrastructure<br>Renewal / adjoint parlementaire<br>au ministre du Renouvellement de l'infrastructure publique                               |
| Runciman, Robert W. (PC)                 | Leeds–Grenville                                      |   |
| Ruprecht, Tony (L)                       | Davenport  |   |
| Sandals, Liz (L)                         | Guelph–Wellington                                    | Parliamentary assistant to the Minister of Community Safety and<br>Correctional Services / adjointe parlementaire<br>au ministre de la Sécurité communautaire<br>et des Services correctionnels |
| Scott, Laurie (PC)                       | Haliburton–Victoria–Brock                            |   |
| Sergio, Mario (L)                        | York West / York-Ouest                               | Parliamentary assistant to the minister responsible for<br>seniors / adjoint parlementaire au ministre délégué aux Affaires des<br>personnes âgées  |
| Smith, Monique M. (L)                    | Nipissing  | Parliamentary assistant to the Minister of Health and Long-Term<br>Care / adjointe parlementaire au ministre de la Santé<br>et des Soins de longue durée  |
| Smitherman, Hon. / L'hon. George (L)     | Toronto Centre–Rosedale /<br>Toronto-Centre–Rosedale | Minister of Health and Long-Term Care /<br>ministre de la Santé et des Soins de longue durée  |
| Sorbara, Hon. / L'hon. Greg (L)          | Vaughan–King–Aurora                                  | Minister of Finance / ministre des Finances   |
| Sterling, Norman W. (PC)                 | Lanark–Carleton                                      |   |
| Takhar, Hon. / L'hon. Harinder S. (L)    | Mississauga Centre /<br>Mississauga-Centre           | Minister of Transportation / ministre des Transports  |
| Tascona, Joseph N. (PC)                  | Barrie–Simcoe–Bradford                               | Second Deputy Chair of the Committee of the Whole House /<br>Deuxième Vice-Président du Comité plénier<br>de l'Assemblée législative  |
| Tory, John (PC)                          | Dufferin–Peel–Wellington–Grey                        | Leader of the Opposition / chef de l'opposition   |
| Van Bommel, Maria (L)                    | Lambton–Kent–Middlesex                               | Parliamentary assistant to the Minister of Municipal Affairs and<br>Housing (Rural) / adjointe parlementaire au ministre des Affaires<br>municipales et du Logement (Secteur rural)             |
| Watson, Hon. / L'hon. Jim (L)            | Ottawa West–Nepean /<br>Ottawa-Ouest–Nepean          | Minister of Consumer and Business Services /<br>ministre des Services aux consommateurs et aux entreprises  |
| Wilkinson, John (L)                      | Perth–Middlesex                                      | Parliamentary assistant to the Minister of the Environment /<br>adjoint parlementaire à la ministre de l'Environnement  |
| Wilson, Jim (PC)                         | Simcoe–Grey  |   |
| Witmer, Elizabeth (PC)                   | Kitchener–Waterloo                                   |   |
| Wong, Tony C. (L)                        | Markham  | Parliamentary assistant to the Minister of Economic Development<br>and Trade / adjoint parlementaire au ministre du Développement<br>économique et du Commerce                                  |
| Wynne, Kathleen O. (L)                   | Don Valley West /<br>Don Valley-Ouest                | Parliamentary assistant to the Minister of Education /<br>adjointe parlementaire au ministre de l'Éducation   |
| Yakabuski, John (PC)                     | Renfrew–Nipissing–Pembroke                           |   |
| Zimmer, David (L)                        | Willowdale   | Parliamentary assistant to the Attorney General /<br>adjoint parlementaire au procureur général   |

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### **Estimates / Budgets des dépenses**

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Lou Rinaldi, John Yakabuski  
Clerk / Greffière: Tonia Grannum

### **Government agencies / Organismes gouvernementaux**

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Vice-Chair / Vice-Présidente: Andrea Horwath  
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Laurie Scott, Monique M. Smith,  
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Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-Président: Bob Delaney  
Michael A. Brown, Jim Brownell, Bob Delaney,  
Kevin Daniel Flynn, Frank Klees, Peter Kormos,  
Shafiq Qaadri, Mario G. Racco, Elizabeth Witmer  
Clerk / Greffier: Katch Koch

### **Legislative Assembly / Assemblée législative**

Chair / Président: Bob Delaney  
Vice-Chair / Vice-Président: Mario G. Racco  
Donna H. Cansfield, Bob Delaney,  
Ernie Hardeman, Rosario Marchese, Ted McMeekin,  
Norm Miller, Tim Peterson, Mario G. Racco, Mario Sergio  
Clerk / Greffier: Douglas Arnott

### **Public accounts / Comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-Présidente: Julia Munro  
Laurel C. Broten, Jim Flaherty, Shelley Martel,  
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Liz Sandals, Norman W. Sterling, David Zimmer  
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### **Regulations and private bills / Règlements et projets de loi d'intérêt privé**

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Kuldip Kular, Gerry Martiniuk, Bill Murdoch,  
Khalil Ramal, Maria Van Bommel, Tony C. Wong  
Clerk / Greffière: Tonia Grannum

### **Social Policy / Politique sociale**

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Vice-Chair / Vice-Président: Khalil Ramal  
Ted Arnott, Ted Chudleigh, Kim Craiton,  
Peter Fonseca, Jeff Leal, Rosario Marchese,  
Mario G. Racco, Khalil Ramal, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.



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